

Justin McCrary

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Current Academic Appointments

Columbia University
2018– Paul J. Evanson Professor of Law
2018– Fellow, Program in the Law and Economics of Capital Markets
National Bureau of Economic Research
2012– Faculty Research Associate

Past Academic Appointments

National Bureau of Economic Research
2008–19 Co-director, Crime Working Group
2006–12 Faculty Research Fellow
University of California, Berkeley
2014–17 Director, Social Sciences Data Laboratory (D-Lab)
2010–19 Professor of Law
2008–10 Assistant Professor of Law
Columbia University
Fall 2017 Samuel Rubin Visiting Professor of Law
University of Michigan
2003–07 Assistant Professor, Gerald R. Ford School of Public Policy
2003–07 Assistant Professor, Department of Economics (courtesy)

Government Service

California Law Revision Commission
2023– Consultant, Study of Antitrust Law
Committee on National Statistics
2022 Reviewer, National Academies of Sciences, Engineering, and Medicine
Securities and Exchange Commission
2022– Signatory, Intergovernmental Personnel Agreement
European Central Bank (Banco de España)
2013–14 Economist
Equal Employment Opportunity Commission
2000–16 Signatory, Intergovernmental Personnel Agreement
California Department of Justice
2011–12 Consultant
Federal Reserve Bank of New York
1996–98 Assistant Economist

Education

Ph.D. Economics, University of California, Berkeley, 2003

A.B. Public Policy, Princeton University, 1996

Languages

English (native); German (fluent); Spanish (elementary/intermediate)

Hobbies

Chess, Squash

Testimony Experience

PennyMac Loan Services, LLC v. Black Knight Servicing Technologies, LLC; Black Knight, Inc.
American Arbitration Association

Intellectual property and antitrust dispute

Testimony regarding damages

Retained by Black Knight

Trial testimony on May 18, 2023

Deposition on December 8, 2022

Report filed on October 25, 2022

State of Illinois ex rel., Edelweiss Fund, LLC v. JP Morgan Chase & Co., et al.
Circuit Court of Cook County, Illinois, County Department, Law Division

Qui tam action alleging collusion and/or coordination on the part of remarketing agents and thus municipal government overpayment for variable rate demand obligation (VRDO) interest rates

Testimony regarding cartel theory, economic incentives, market power, barriers to entry, and random versus selected samples and bootstrap methodologies

Retained by the joint defense group

Deposed on April 5, 2023

Report filed on February 6, 2023

National Fair Housing Alliance et al. v. Deutsche Bank National Trust, as Trustee; Deutsche Bank Trust Company Americas, as Trustee; Ocwen Loan Servicing, LLC; and Altisource Solutions, Inc.
United States District Court for the Northern District of Illinois, Eastern Division

Housing maintenance discrimination

Testimony regarding causation, economics of housing market

Retained by Deutsche Bank, Ocwen, and Altisource

Deposed on March 31, 2023 (via video)

Declaration filed on February 28, 2023

Report filed on February 21, 2023

In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation

United States District Court for the Eastern District of New York

Antitrust case

Testimony regarding liability, two-sided markets, market power, and credit and debit card payment systems

Retained by Mastercard

Deposed on March 24, 2023

Report filed on January 13, 2023

Report filed on September 30, 2022

In re University of San Diego Tuition and Fees COVID-19 Refund Litigation

United States District Court for the Southern District of California

Putative class action alleging tuition overpayment

Testimony regarding damages methodologies, conjoint analyses, and hedonic regression

Retained by the University of San Diego

Rebuttal report filed on February 20, 2023

Affirmative report filed on February 6, 2023

Palmer, Piroumian, Cox, and Franchitt v. Cognizant Technology Solutions Corporation and Cognizant Technology Solutions U.S. Corporation

United States District Court for the Central District of California

Employment discrimination putative class action

Testimony regarding regression and statistical methodologies, the Yule-Simpson paradox and omitted variable bias, causation, personnel economics, self-selection, the economics of immigration, and damages methodologies

Retained by Cognizant

Deposed on January 23, 2023 (via video)

Deposed on July 5, 2022 (via video)

Report filed on June 10, 2022

In re: Broiler Chicken Grower Antitrust Litigation Haff Poultry, Inc., et al. v. Tyson Foods, Inc., et al.

United States District Court for the Eastern District of Oklahoma

Antitrust monopsony case

Testimony regarding information sharing, no-poach allegations, causation, and damages estimation

Retained by Pilgrim's and Sanderson

Deposition on December 22, 2022

Report filed on November 18, 2022

Twitter v. Musk

Delaware Chancery Court

Acquisition dispute

Testimony regarding statistical sampling and extrapolation, inferential statistics, and data science

Retained by Twitter

Report filed on October 2, 2022

IKB International S.A. in Liquidation and IKB Deutsche Industriebank AG v. Morgan Stanley, et. al

Supreme Court of the State of New York, County of New York

Mortgage-backed securities case

Testimony regarding sampling and statistical methods

Retained by Morgan Stanley

Report filed on September 30, 2022

Walter Peters v. Apple Inc.

Superior Court for the State of California, County of Los Angeles

Consumer products liability class action

Testimony regarding event study methodology, extent of unharmed class members, and statistics

Retained by Apple, Inc.

Deposed on September 2, 2022 (via video)

Report filed on July 26, 2022

Appellant The Mount Sinai Hospital's OMHA Appeal (No. 3-7103567206)

Centers for Medicare and Medicaid Services

Centers for Medicare and Medicaid Services investigation

Testimony regarding statistics and damages estimation

Retained by Mt. Sinai

Testified before administrative law judge on August 30, 2022 (via audio)

Report filed on July 18, 2018

National Fair Housing Alliance et al. v. Bank of America, National Association; Bank of America Corp.; and Safeguard Properties Management

United States District Court for the District of Maryland

Housing maintenance discrimination

Testimony regarding causation, economics of housing market

Retained by Bank of America

Supplemental declaration filed on August 31, 2022

Deposed on February 28, 2022 (via video)

Supplemental report filed on February 14, 2022

Report filed on November 5, 2021

In re Foreign Exchange Benchmark Rates Antitrust Litigation

U.S. District Court for the Southern District of New York

Putative class action regarding antitrust price fixing (Sherman Act §§ 1, 3 and Commodity Exchange Act)

Testimony regarding liability, heterogeneity, trader communications, sampling, and regression

Retained by Credit Suisse

Declaration filed on August 26, 2022

Deposed on July 30, 2020 (via video)

Merits report filed on March 12, 2020

Deposed on January 17, 2019

Class certification report filed on October 25, 2018

Raef Lawson v. Grubhub Holdings Inc. and Grubhub Inc.

United States District Court for the Northern District of California, San Francisco Division

Alleged misclassification of employees as independent contractors

Testimony regarding two-sided markets and platform companies

Retained by Grubhub

Report filed on June 15, 2022

Paul Orshan, et al. v. Apple Inc.

United States District Court for the Northern District of California

Consumer products liability class action

Testimony regarding the law and economics of damages

Retained by Apple, Inc.

Deposed on June 8, 2022 (via video)

Report filed on May 17, 2022

Jessica Robinson, Stacey Jennings, and Priscilla McGowan v. Jackson Hewitt, Inc. and Tax Services of America, Inc.

United States District Court for the District of New Jersey

Antitrust labor class action

Testimony regarding the economics of franchising, general and specific human capital, and intrabrand restraints

Retained by Jackson Hewitt

Deposed on June 1, 2022

Report filed on April 25, 2022

City and County of San Francisco and the People of the State of California v. Purdue Pharma L.P., et al.

United States District Court for the Northern District of California

Prescription opioid medication litigation

Testimony regarding causation, economics of crime, regression methodology

Retained by Endo Pharmaceuticals Inc., Endo Health Solutions Inc., Par Pharmaceutical, Inc., Par Pharmaceutical Companies, Inc., and Endo International plc

Deposed on January 10, 2022 (via video)

Report filed on December 2, 2021

State of Florida v. Purdue Pharma L.P. et al.

Circuit Court of the Sixth Judicial Circuit in and for Pasco County, West Pasco Division, New Port Richey, Florida

Prescription opioid medication litigation

Testimony regarding causation, economics of crime, regression methodology

Retained by Endo Pharmaceuticals Inc. and Endo Health Solutions Inc.

Deposed on December 13, 2021 (via video)

Report filed on September 17, 2021

Sarah J. Hunter and David N. Youtz v. Booz Allen Hamilton Holding Corporation
U.S. District Court for the Southern District of Ohio (Eastern Division)

Antitrust labor case

Testimony regarding heterogeneity of impact, incentives, contracting, damages models, and salary structure models

Retained by Booz Allen, Mission Essential Personnel, and CACI International

Live testimony in class certification hearing on October 22, 2021

Deposed on August 6, 2021 (via video)

Rebuttal merits report filed on July 15, 2021

Affirmative merits report filed on June 3, 2021

Deposed on April 12, 2021 (via video)

Class certification report filed on March 12, 2021

County of Bexar v. Purdue Pharma L.P. et al.
(and *In re Texas Opioid Litigation*)

District Court, 224th Judicial District, Dallas County, Texas
(and District Court, 152nd Judicial District, Harris County, Texas)

Prescription opioid medication litigation

Testimony regarding causation, economics of crime, regression methodology

Retained by Endo Pharmaceuticals Inc. and Endo Health Solutions Inc.

Report filed on September 21, 2021

County of Dallas v. Purdue Pharma L.P. et al.
(and *In re Texas Opioid Litigation*)

District Court, 116th Judicial District, Dallas County, Texas
(and District Court, 152nd Judicial District, Harris County, Texas)

Prescription opioid medication litigation

Testimony regarding causation, economics of crime, regression methodology

Retained by Endo Pharmaceuticals Inc. and Endo Health Solutions Inc.

Deposed on September 20, 2021 (via video)

Report filed on July 30, 2021

Iowa Public Employees' Retirement System, et al. v. Bank of America Corporation, et al.
U.S. District Court for the Southern District of New York

Antitrust group boycott case

Testimony regarding the stock lending market and heterogeneity of impact

Retained by Bank of America, Credit Suisse, Goldman Sachs, JP Morgan, Morgan Stanley, and UBS

Deposed on September 3, 2021 (via video)

Reply report filed on November 22, 2021

Class certification report filed on June 29, 2021

The State of Alabama v. Purdue Pharma L.P. et al.
Circuit Court for Montgomery County, Alabama

Prescription opioid medication litigation

Testimony regarding causation, economics of crime, regression methodology

Retained by Endo Pharmaceuticals Inc. and Endo Health Solutions Inc.

Deposed on August 10, 2021 (via video)

Report filed on July 29, 2021

The People of the State of California v. Purdue Pharma L.P. et al.

Superior Court of the State of California, County of Orange

Prescription opioid medication litigation

Testimony regarding causation, economics of crime, regression methodology

Retained by Endo Pharmaceuticals Inc. and Endo Health Solutions Inc.

Trial testimony July 20-21, 2021 (via video)

Deposed on February 8, 2021 (via video)

Reply report filed on January 21, 2021

Affirmative report filed on November 13, 2020

Eric Stevens, et al. v. Ford Motor Company

U.S. District Court for the Southern District of Texas

Consumer products liability case

Testimony regarding the car market and damages methodologies

Retained by Ford Motor Company

Deposed on June 24, 2021

Report filed on May 17, 2021

Kaloma Cardwell v. Davis Polk and Wardwell LLP, et al.

U.S. District Court for the Southern District of New York

Employment discrimination case

Testimony regarding the labor market for high skilled workers and damages models

Retained by Davis Polk and Wardwell

Report filed on June 15, 2021

Leinani Deslandes and Stephanie Turner v. McDonald's USA, LLC

U.S. District Court for the Northern District of Illinois (Eastern Division)

Antitrust labor case

Testimony regarding franchising and vertical restraints, procompetitive benefits of vertical restraints, incentives, monopsony theory, general versus specific human capital, and salary structure models

Retained by McDonald's USA, LLC

Deposed on May 10, 2021 (via video)

Report filed on April 15, 2021

Jamie Postpichal, Sarah Waters, and Ursula Freitas v Cricket Wireless, LLC

U.S. District Court for the Northern District of California (San Francisco Division)

False advertising case

Testimony regarding heterogeneity of impact, damages estimation, consumer preferences

Retained by Cricket Wireless

Deposed on April 16, 2021 (via video)

Report filed on April 5, 2021

Phoenix Light SF Limited, et al. and Commerzbank AG v. HSBC Bank USA, N.A.

U.S. District Court for the Southern District of New York

Mortgage-backed securities case (servicing)

Testimony regarding matching estimators, statistics, sampling, damages

Retained by HSBC

Report filed on September 14, 2020

State of New Mexico v. Honda Motor Company, et al.

State of New Mexico, County of Santa Fe, First Judicial District Court

Consumer products liability case

Testimony regarding the car market and damages methodologies

Retained by Ford Motor Company

Report filed on September 8, 2020

Donald Conrad et al. v. Jimmy John's Franchise, LLC, et al.

U.S. District Court for the Southern District of Illinois

Putative class action regarding antitrust conspiracy

Testimony regarding liability, damages, heterogeneity, horizontal versus vertical relationships, franchise arrangements, internal labor markets, monopsony theory, and general versus specific human capital training

Deposed on August 14, 2020 (via video)

Retained by Jimmy John's Franchise, LLC and Jimmy John's Enterprises, LLC

Report filed on July 1, 2020

People of the State of California v. Uber Technologies, Inc., Lyft, Inc., and Does 1-50

Superior Court of the State of California, County of San Francisco

Alleged misclassification of employees as independent contractors

Testimony regarding two-sided markets and platform companies

Retained by Uber Technologies, Inc.

Report filed on July 24, 2020

Alex Morgan, et al. v. United States Soccer Federation, Inc.

U.S. District Court for the Central District of California, Western Division

Putative class action alleging discrimination in pay

Testimony regarding law and economics, labor economics, and damages methodologies

Retained by United States Soccer Federation

Deposed on April 9, 2020 (via video)

Rebuttal report filed on March 6, 2020

Affirmative report filed on February 4, 2020

Barry Staubus, et al. v. Purdue Pharma, L.P.

Circuit Court for Sullivan County at Kingsport, Tennessee

Prescription opioid medication litigation

Testimony regarding causation, economics of crime, regression methodology

Retained by Endo Pharmaceuticals Inc., Endo Health Solutions Inc., Par Pharmaceutical, Inc., and Par Pharmaceuticals, Inc.

Deposed on April 7, 2020 (via video)

Report filed on March 20, 2020

John Capriole v. Uber Technologies, Inc. and Dara Khosrowshahi

U.S. District Court for the Northern District of California

Putative class action regarding independent contractor versus employee

Testimony regarding two-sided markets, economics of market-wide shocks, matching technologies, cost implications of reclassification, and capital-labor tradeoffs

Retained by Uber Technologies, Inc.

Report filed on April 6, 2020

Spencer Verhines v. Uber Technologies, Inc.

U.S. District Court for the Northern District of California

Putative class action regarding independent contractor versus employee

Testimony regarding two-sided markets, economics of market-wide shocks, matching technologies, cost implications of reclassification, and capital-labor tradeoffs

Retained by Uber Technologies, Inc.

Report filed on March 25, 2020

Rescap Liquidating Trust v. Primary Residential Mortgage, Inc.

U.S. District Court for the District of Minnesota

Mortgage-backed securities case (bankruptcy)

Testimony regarding sampling, damages, and statistical concepts

Retained by Primary Residential Mortgage, Inc.

Bench trial testimony on March 12-13, 2020 (via video)

Deposed on October 23, 2019

Supplemental report filed on August 23, 2019

Report filed on August 9, 2019

County of Suffolk v. Purdue Pharma LP, et al.; County of Nassau v. Purdue Pharma LP, et al.; and The People of the State of New York v. Purdue Pharma LP, et al.

Supreme Court of the State of New York, County of Suffolk

Prescription opioid medication litigation

Testimony regarding causation, economics of crime, regression methodology

Retained by Endo Pharmaceuticals Inc., Endo Health Solutions Inc., Par Pharmaceutical, Inc., and Par Pharmaceuticals, Inc.

Deposed on February 25, 2020

Report filed on February 3, 2020

Government of the United States Virgin Islands v. Toyota Motor Corporation, et al.

Superior Court of the Virgin Islands, Division of St. Thomas and St. John

Consumer products liability case

Testimony regarding the car market and damages methodologies

Retained by Ford Motor Company

Deposed on February 14, 2020

Report filed on January 31, 2020

In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation

U.S. District Court for the Eastern District of New York

Antitrust case

Testimony regarding liability, two-sided markets, market power, and credit and debit card payment systems

Retained by Mastercard, Bank of America, Barclays, Capital One, Citibank, Fifth Third, First National Bank of Omaha, HSBC, JPMorgan Chase, PNC, SunTrust, Texas Independent Bancshares, and Wells Fargo

Deposed on January 14, 2020

Report filed on June 10, 2019

Olson, Perez, Postmates, and Uber v. State of California

U.S. District Court for the Central District of California

U.S. constitutional objection to California adoption of Assembly Bill 5

Testimony regarding two-sided markets and flexible work arrangements

Retained by Postmates and Uber

Declaration filed on January 8, 2020

Phoenix Light SF Limited, et al. vs. Wells Fargo Bank

U.S. District Court for the Southern District of New York

Mortgage-backed securities case (servicing)

Testimony regarding matching and other statistical methodologies

Retained by Wells Fargo Bank

Deposed on October 4, 2019

Report filed on July 25, 2019

Jacob Beaty and Jessica Beaty vs. Ford Motor Company

U.S. District Court for the Western District of Washington

Consumer products liability case

Testimony regarding conjoint analysis and heterogeneity

Retained by Ford Motor Company

Deposed on June 25, 2019

Class certification report filed on May 24, 2019

Shamrell v. Apple Inc.

Superior Court of the State of California, County of San Diego

Putative class action regarding products liability, Unfair Competition Law and Consumers Legal Remedies Act

Testimony regarding heterogeneity across putative class members, failure rate methodologies, econometrics, and data science

Retained by Apple, Inc.

Deposed on June 6, 2019

Supplemental class certification report filed on October 17, 2018

Class certification report filed on March 29, 2017

Report filed on February 1, 2017

Cuyahoga County v. Purdue Pharma LP, et al. and Summit County v. Purdue Pharma LP, et al.

U.S. District Court of the Northern District of Ohio

Prescription opioid medication litigation

Testimony regarding causation, drug use, economics of crime, regression methodology

Retained by Endo Pharmaceuticals Inc., Endo Health Solutions Inc., Par Pharmaceutical, Inc., and Par Pharmaceuticals, Inc.

Deposed on May 31, 2019

Report filed on May 10, 2019

Lerman v. Apple Inc.

U.S. District Court for the Eastern District of New York

Putative class action regarding products liability

Testimony regarding heterogeneity across putative class members, the nature of products, and conjoint analysis

Retained by Apple, Inc.

Deposed on May 29, 2019

Report filed on April 3, 2019

Financial Guaranty Insurance Company v. Morgan Stanley ABS Capital I Inc. and Morgan Stanley Mortgage Capital Holdings LLC, as successor to Morgan Stanley Mortgage Capital Inc.

Supreme Court of the State of New York, County of New York

Mortgage-backed securities case

Testimony regarding sampling and statistical methods

Retained by Morgan Stanley

Deposed on May 15, 2019

Report filed on October 19, 2018

Rebuttal Testimony of Powerex Corp re: BPA Southern Intertie Hourly Rate

U.S. Department of Energy, Bonneville Power Administration

Administrative proceeding concerning the rates for transmission of electricity

Testimony regarding regression methodology

Retained by Powerex Corp.

Testimony before the Hearing Officer on April 23, 2019

Report filed on March 28, 2019

Financial Guaranty Insurance Company v. Morgan Stanley ABS Capital I Inc., Morgan Stanley Mortgage Capital Holdings LLC, Morgan Stanley & Co. LLC, as successor to Morgan Stanley & Co. Inc., Morgan Stanley, and Saxon Mortgage Services, Inc.

Supreme Court of the State of New York, County of New York

Mortgage-backed securities case

Testimony regarding sampling and statistical methods

Retained by Morgan Stanley

Deposed on January 8, 2019

Report filed on August 7, 2018

Trinidad Lopez v. Liberty Mutual Insurance Company

U.S. District Court for the Central District of California

Wage and hour case after class certification

Testimony regarding damages and statistics

Retained by Liberty Mutual

Report filed on December 21, 2018

Samsung Electronics Co., Ltd., v. Kuroda Electric Co., Ltd., Sakai Display Products Corporation and Sharp Corporation
International Chamber of Commerce

Contractual dispute regarding supply of television panels
Testimony regarding economic theory, data science, statistics
Retained by Samsung Electronics Co.
Testified at arbitration hearing on December 20, 2018
Report filed on September 28, 2018

In re: Part 60 RMBS Put-Back Litigation

Supreme Court of the State of New York, County of New York
Mortgage-backed securities case
Testimony regarding sampling and statistical methods
Retained by Morgan Stanley Mortgage Capital Holdings LLC
Deposed on November 27, 2018
Report filed on June 22, 2018

In Re: RFC and ResCap Liquidating Trust Litigation

U.S. District Court for the District of Minnesota and
U.S. Bankruptcy Court for the Southern District of New York
Mortgage-backed securities case (bankruptcy)
Testimony regarding sampling, damages, and statistical concepts
Retained by Advanced Financial Services, BMO Harris Bank, Cadence Bank, Colonial Savings, CTX Mortgage, Decision One, First Guaranty, Freedom Mortgage, Home Loan Center, HSBC Mortgage, Impac Funding, PNC, Provident, Standard Pacific, Synovus, and Universal American
Testified at jury trial on November 1, 2018 (Minnesota; Home Loan Center)
Final rebuttal report filed on June 14, 2018
Deposed on April 24, 2018
Rebuttal report to supplemental disclosure filed on February 26, 2018
Report filed on October 27, 2017

Residential Funding Company v. Universal American Mortgage Co.

U.S. District Court for the District of Minnesota
Mortgage-backed securities case (bankruptcy)
Testimony regarding sampling and statistical methods
Retained by Universal American Mortgage Co.
Report filed on August 30, 2018

In re Gateway Plaza Residents Litigation

Supreme Court of the State of New York, County of New York
Putative class action regarding warranty of habitability
Testimony regarding electricity usage, individual preferences and choices, and heterogeneity across putative class members; large scale data analysis
Retained by Gateway Plaza
Supplemental class certification and rebuttal report filed on August 8, 2018
Class certification report filed on September 18, 2017

United States of America v. SavaSeniorCare

U.S. District Court for the Middle District of Tennessee

False Claims Act case

Testimony regarding sampling and statistical methods

Retained by SavaSeniorCare

Report filed on August 6, 2018

Latoya Brown et al. v. Madison County, Mississippi

U.S. District Court for the Southern District of Mississippi

Putative class action alleging violations of Section 1983 and the Fourth and Fourteenth Amendments

Testimony regarding regression methodologies, measurement error, and data science

Retained by Latoya Brown et al.

Report filed on July 2, 2018

Martin Dulberg et al. v. Uber Technologies, Inc. and Rasier, LLC

U.S. District Court for the Northern District of California

Putative class action alleging breach of contract

Testimony regarding heterogeneity in damages across putative class members

Retained by Uber Technologies, Inc.

Supplemental report filed on June 28, 2018

Affirmative report filed on January 11, 2018

Tri-City, LLC; Endor Car and Driver, LLC; Zehn-NY, LLC; Zwei-NY, LLC; Abatar, LLC; and Flatiron Transit, LLC v. New York Taxi and Limousine Commission and Meera Joshi

Supreme Court of the State of New York, County of New York

Article 78 proceeding challenging an administrative ruling

Testimony regarding mismatch between accessibility regulation and accessibility demand

Retained by plaintiffs

Supplemental report filed on May 18, 2018

Affirmative report filed on April 13, 2018

Federal Home Loan Bank of Boston, v. Ally Financial, Inc., et al.

Superior Court of the State of Massachusetts, Business Litigation Session, Suffolk County

Mortgage-backed securities case

Testimony regarding sampling and statistical methods

Retained by Morgan Stanley

Report filed on May 17, 2018

Cheryl Phipps and Shawn Gibbons v. Wal-Mart Stores, Inc.

U.S. District Court for the Middle District of Tennessee

Putative class action alleging discrimination in employment

Testimony regarding the decentralized nature of Walmart's internal labor market and concomitant heterogeneity across proposed class members in pay and promotion outcomes

Retained by Walmart

Deposed on April 30, 2018

Report filed on April 20, 2018

People of the State of California v. Morgan Stanley & Co.
Superior Court of the State of California, County of San Francisco
Mortgage-backed securities case
Testimony regarding sampling and statistical methods
Retained by Morgan Stanley & Co.
Deposed on February 9, 2018
Report filed on January 25, 2018

Tony Dickey and Paul Parmer et al. v. Advanced Micro Devices, Inc.
U.S. District Court for the Northern District of California
Putative class action alleging false advertising
Testimony regarding availability of information regarding and market for computer chips and heterogeneity across putative class members
Retained by Advanced Micro Devices
Report filed on January 26, 2018

Federal Home Loan Bank of Chicago v. Banc of America Funding Corporation, et al.
Circuit Court of Cook County, Illinois, County Department, Chancery Division
Mortgage-backed securities case
Testimony regarding sampling, regression, and statistical methods
Retained by Morgan Stanley
Deposed on December 14, 2017
Report filed on August 21, 2017

In re Lehman Brothers Holdings, Inc., et al., Debtors
U.S. Bankruptcy Court for the Southern District of New York
Mortgage-backed securities case
Testimony regarding sampling, resampling methods for inference, and statistical methods
Retained by Lehman Brothers Holdings, Inc.
Deposed on October 9, 2017
Report filed on August 28, 2017

Deutsche Bank National Trust Company v. Morgan Stanley Mortgage Capital Holdings LLC
U.S. District Court for the Southern District of New York
Mortgage-backed securities case
Testimony regarding sampling and statistical methods
Retained by Morgan Stanley Mortgage Capital Holdings LLC
Deposed on March 27, 2017
Report filed on December 16, 2016

Rosen v. Uber Technologies, Inc.

U.S. District Court for the Northern District of California

Putative class action regarding false advertising

Testimony regarding economics of safety

Retained by Uber Technologies, Inc.

Deposed on February 3, 2017

Report filed on January 13, 2017

Affirmative report filed on December 2, 2016

Blackrock Allocation Target Shares: Series S Portfolio, et al. v. Wells Fargo Bank, N.A.; Royal Park Investments SA/NV v. Wells Fargo Bank, N.A., as Trustee; National Credit Union Administration Board, et al. v. Wells Fargo Bank, N.A.; Phoenix Light SF Limited, et al. v. Wells Fargo Bank, N.A.; and Commerzbank AG v. Wells Fargo Bank, N.A.

U.S. District Court for the Southern District of New York

Mortgage-backed securities case

Testimony regarding sampling and statistical methods

Retained by Wells Fargo Bank

Report filed on January 18, 2017

LA Taxi Cooperative, Inc. et al. v. Uber Technologies, Inc.

U.S. District Court for the Northern District of California

False advertising case

Testimony regarding economics of safety

Retained by Uber Technologies, Inc.

Report filed on January 13, 2017

Affirmative report filed on November 18, 2016

State of Illinois v. Hitachi Ltd., et al.

Circuit Court of Cook County, Illinois, County Department, Chancery Division

Antitrust price-fixing case

Testimony regarding liability and damages

Retained by Hitachi Ltd.

Report filed on November 11, 2016

In re: City of San Bernardino, California, Debtor

U.S. Bankruptcy Court, Central District of California, Riverside Division

Municipal bankruptcy case

Testimony regarding economics, econometrics, rare risks and the value of a statistical life

Retained by the City of San Bernardino

Report filed on October 3, 2016

U.S. Bank National Association v. Morgan Stanley Mortgage Capital Holdings LLC

Supreme Court of the State of New York, County of New York

Mortgage-backed securities case

Testimony regarding sampling and statistical methods

Retained by Morgan Stanley Mortgage Capital Holdings LLC

Deposed on September 10, 2016

Report filed on June 17, 2016

National Credit Union Administration Board v. RBS Securities, Inc.

U.S. District Court for the Central District of California &
U.S. District Court for the District of Kansas

Mortgage-backed securities case

Testimony regarding sampling and statistical methods

Retained by RBS Securities

Deposed on January 28, 2016

Report filed on October 16, 2015

Temple-Inland, Inc., v. Thomas Cook, et al.

U.S. District Court for the District of Delaware

Escheat law case

Testimony regarding sampling, statistical methods, and economic theory

Retained by the State of Delaware

Deposed on November 24, 2015

Report filed on October 23, 2015

National Consumer Protection Service v. Farmacias Cruz Verde S.A. et al.

Honorable Civil Court of Santiago (Chile)

Antitrust putative class action

Testimony regarding appropriate methods for estimating damages

Retained by Salcobrand

Report filed on November 14, 2015

Douglas O'Connor, et al. v. Uber Technologies, Inc.

U.S. District Court for the Northern District of California

Putative class action regarding independent contractor versus employee

Testimony regarding heterogeneity in alleged damages across putative class members, potential for class conflict

Retained by Uber Technologies, Inc.

Report filed on October 27, 2015

Report filed on July 7, 2015

Students for Fair Admissions, Inc. v. President and Fellows of Harvard College

U.S. District Court for the District of Massachusetts

Discovery dispute in affirmative action case

Testimony regarding necessary inputs into statistical methodologies

Retained by Harvard College

Report filed on July 30, 2015

Securities and Exchange Commission v. James V. Mazzo and David L. Parker

U.S. District Court for the Central District of California

Civil insider trading suit

Testimony regarding probability theory and statistics

Retained by James V. Mazzo and David L. Parker

Deposed on May 13, 2015

Report filed on March 13, 2015

In re: City of Stockton, California, Debtor
 U.S. Bankruptcy Court, Eastern District of California
 Municipal bankruptcy suit
 Testimony regarding economic theory, labor economics, and econometrics
 Retained by the City of Stockton
 Deposed on March 13, 2013
 Report filed on February 15, 2013

In the Matter of Act 111 Interest Arbitration Between Commonwealth of Pennsylvania and Pennsylvania State Troopers Association
 Hearings on wage setting
 Testimony regarding rare risks and the value of a statistical life
 Retained by the Pennsylvania State Troopers Association
 Testified at arbitration hearing on December 4, 2012
 Report filed on December 4, 2012

Scholarship on Sampling, Statistics, and Econometrics

Valid t -Ratio Inference for IV (with David S. Lee, Marcelo Moreira, and Jack Porter)
American Economic Review, Volume 112, Number 10, October 2022

A Practical Proactive Proposal for Dealing with Attrition: Alternative Approaches and an Empirical Example (with John DiNardo, Jordan Matsudaira, and Lisa Sanbonmatsu)
Journal of Labor Economics, Volume 39, Number S2, April 2021

Conservative Tests Under Satisficing Models of Publication Bias (with Garret Christensen and Daniele Fanelli)
PLOS One, Volume 11, Number 2, February 22, 2016

New Evidence on the Finite Sample Properties of Propensity Score Matching and Reweighting Estimators (with Matias Busso and John DiNardo)
Review of Economics and Statistics, Volume 96, Number 5, December 2014

Incomes in South Africa Since the Fall of Apartheid (with Murray Leibbrandt and James Levinsohn)
Journal of Globalization and Development, Volume 1, Issue 1, January 2010

Manipulation of the Running Variable in the Regression Discontinuity Design: A Density Test
Journal of Econometrics, Volume 142, Issue 2, February 2008

Scholarship on Finance

A Fractional Solution to a Stock Market Mystery (with Robert P. Bartlett and Maureen O'Hara)
 Working Paper, July 2022

The Market Inside the Market: Odd-Lot Quotes (with Robert P. Bartlett and Maureen O'Hara)
 Working Paper, February 2022

Subsidizing Liquidity with Wider Ticks: Evidence from the Tick Size Pilot Study Timestamps (with Robert P. Bartlett)
Journal of Empirical Legal Studies, Volume 17, Issue 2, June 2020

Dark Trading at the Midpoint: Pricing Rules, Order Flow, and Price Discovery (with Robert P. Bartlett)
Journal of Law, Finance, and Accounting, Volume 4, Issue 2, 2019

How Rigged Are Stock Markets?: Evidence from Microsecond Timestamps (with Robert P. Bartlett)
Journal of Financial Markets, Volume 45, September 2019

Shall We Haggle in Pennies at the Speed of Light or in Nickels in the Dark?: How Minimum Price Variation Regulates High Frequency Trading and Dark Liquidity (with Robert P. Bartlett)
Working Paper, 2015

Scholarship on Competition

Accounting for the Employee-Employer Relationship in Antitrust Analysis (with Bryan Ricchetti)
Antitrust Magazine Online, June 2023

Measuring Benchmark Damages in Antitrust Litigation (with Daniel L. Rubinfeld)
Journal of Econometric Methods, Volume 3, January 2014

Scholarship on Risk and Crime

The Impact of the Coronavirus Lockdown on Domestic Violence (with Sarath Sanga)
American Law and Economics Review, Volume 23, Issue 1, Spring 2021

Why We Need Police (with Deepak Premkumar)
Chapter 3 in *The Cambridge Handbook of Policing in the United States*, Tamara Rice Lave and Eric Jr. Miller, eds., Cambridge University Press, June 2019

Are U.S. Cities Underpoliced? Theory and Evidence (with Aaron Chalfin)
Review of Economics and Statistics, Volume 100, Issue 1, March 2018, 167–186

Criminal Deterrence: A Review of the Literature (with Aaron Chalfin)
Journal of Economic Literature, Volume 55, Number 1, March 2017, 5–48 (lead article)

The Deterrence Effect of Prison: Dynamic Theory and Evidence (with David S. Lee)
Advances in Econometrics, Volume 38, 2017, editors Matias D. Cattaneo and Juan Carlos Escanciano
2018 Emerald Literati Award, Outstanding Author Contribution

Do Sexually Violent Predator Laws Violate Double Jeopardy or Substantive Due Process: An Empirical Inquiry (with Tamara Lave)
Brooklyn Law Review, Volume 78, Summer 2013, Number 4, 1391–1439

General Equilibrium Effects of Prison on Crime: Evidence From International Comparisons (with Sarath Sanga)
Cato Papers on Public Policy, Volume 2, 2012

Controlling Crime: Strategies and Tradeoffs (co-edited with Phil Cook and Jens Ludwig), Chicago: University of Chicago Press, 2011.

Scholarship on Labor Economics

Unmarked? Criminal Record Clearing and Employment Outcomes (with Jeffrey Selbin (lead author) and Joshua Epstein)
Journal of Criminal Law and Criminology, Volume 108, Number 1, 2017 (lead article)

The Effect of Female Education on Fertility and Infant Health: Evidence from School Entry Laws Using Exact Date of Birth (with Heather Royer)
American Economic Review, Volume 101, Number 1, February 2011

Comment on “Free to Punish? The American Dream and the Harsh Treatment of Criminals”, by Rafael di Tella and Juan Dubra
Cato Papers on Public Policy, Volume 1, 2011

Dynamic Perspectives on Crime
in *Handbook of the Economics of Crime*, Chapter 4, Edward Elgar, 2010

The Effect of Court-Ordered Hiring Quotas on the Composition and Quality of Police
American Economic Review, Volume 97, Number 1, March 2007

Using Electoral Cycles in Police Hiring to Estimate the Effect of Police on Crime: Comment
American Economic Review, Volume 92, Number 4, September 2002

Scholarship on Intellectual Property

A Reconsideration of Copyright's Term (with Kristelia A. Garcia)
Alabama Law Review, Volume 71, Issue 2, 2019

Copyright and Economic Viability: Evidence from the Music Industry (with Kristelia A. Garcia and James Hicks)
Journal of Empirical Legal Studies, Volume 17, Issue 4, December 2020

Scholarship on Monetary Policy

Following Germany's Lead: Using International Monetary Linkages to Estimate the Effect of Monetary Policy on the Economy (with Julian di Giovanni and Till von Wachter)
Review of Economics and Statistics, Volume 91, Number 2, May 2009

Other Scholarship

The Ph.D. Rises in American Law Schools, 1960-2011: What Does It Mean for Legal Education? (with Joy Milligan and James Phillips)
Journal of Legal Education, Volume 65, Number 543, Spring 2016

Referee

Econometrica

American Economic Review

Quarterly Journal of Economics

Journal of Political Economy

Review of Economic Studies

Journal of Econometrics

Journal of Economic Literature

Review of Economics and Statistics

Journal of the American Statistical Association

American Economic Journal

Advances in Econometrics

American Law and Economics Review

International Law and Economics Review

Journal of Labor Economics

Journal of Econometric Methods

Industrial and Labor Relations Review

Journal of Law and Economics

Journal of Empirical Legal Studies

Journal of Urban Economics

Journal of Quantitative Criminology

American Political Science Review

American Sociological Review

Stanford Law Review

Yale Law Journal

Columbia Law Review

Other Activities

2023– Member, Board of Directors, WayRay AG

2020– Member, Board of Directors, Frameable, LLC

2019–21 Member, Board of Directors, Plectica, LLC

2017–19 Member, Board of Directors, American Law and Economics Association

2007–19 Co-Director (with Phil Cook and Jens Ludwig), *Crime Working Group*, National Bureau of Economic Research

2009–14 Co-Director, *Law and Economics Program*, University of California, Berkeley

Courses Taught

Columbia

2023-24 L6293: Antitrust and Trade Regulation (Fall); L8856: Antitrust at Trial (Fall); L6916: Litigation, Economics, and Statistics (Spring); L6231: Corporations (Spring)

2022-23 L6293: Antitrust and Trade Regulation (Spring); L6916: Litigation, Economics, and Statistics (Spring)

2021-22 L6231: Corporations (Fall); L6916: Litigation, Economics, and Statistics (Fall); L6293: Antitrust and Trade Regulation (Spring)

2020-21 L6293: Antitrust and Trade Regulation (Fall); L6916: Litigation, Economics, and Statistics (Fall); L6231: Corporations (Spring)

2019-20 L6293: Antitrust and Trade Regulation (Fall); L6916: Litigation, Economics, and Statistics (Fall)

2018-19 L6916: Litigation, Economics, and Statistics (Fall); L6231: Corporations (Spring)

2017-18 L6231: Corporations (Fall)

Berkeley

- 2016-17 Law 244.4: Litigation and Statistics (Fall); Law 216: Law and Economics Workshop (Fall); Law 218.6: Law and Economics of Discrimination (Fall)
- 2015-16 Law 250: Business Associations (Fall); Law 244.4: Litigation and Statistics (Fall); Letters and Science 39D: Race, Policing, and Data Science (Fall)
- 2014-15 Law 250: Business Associations (Fall); Law 250S: Business Associations (Summer)
- 2013-14 Law 250S: Business Associations (Summer)
- 2012-13 Law 250: Business Associations (Fall); Law 250S: Business Associations (Summer); Law 209.3: Introductory Statistics (Fall)
- 2011-12 Law 250: Business Associations (Fall); Law 250S: Business Associations (Summer); Law 209.3: Introductory Statistics (Fall); Law 251.31: Introduction to Law, Economics, and Business (Spring); Legal Studies 145: Law and Economics I (undergraduate)
- 2010-11 Law 250: Business Associations (Fall); Law 250S: Business Associations (Summer); Law 216: Law and Economics Workshop (Fall and Spring); Legal Studies 145: Law and Economics I (undergraduate); Law 209.6: Topic in Quantitative Methods (JSP); Econ 250C: Labor Economics (graduate, shared course with 209.6)
- 2009-10 Law 216: Law and Economics Workshop (Fall and Spring); Law 209.32: Quantitative Methods II (JSP)
- 2008-09 Legal Studies 145: Law and Economics I (undergraduate); Law 209.3: Quantitative Methods I (JSP); Law 209.32: Quantitative Methods II (JSP)
- 2007-08 Legal Studies 145: Law and Economics I (undergraduate); Law 209.3: Quantitative Methods I (JSP)

Michigan

Introduction to Quantitative Methods (policy), First Econometrics Field Course (economics), Advanced Economic Theory (policy)

Grants and Fellowships

- 2007-2010 NIH, Constructive Proposals for Dealing With Attrition (with John DiNardo)
- 2009 Committee on Research, Junior Faculty Research Grant, UC Berkeley
- 2006-2009 NIH, The Effect of Female Education on Fertility and Infant Health (with Heather Royer, Grant # R03 HD051713)
- 2006-2011 NSF, New Instrumental Variables Estimates of the Effects of Schooling and Military Service: Empirical Strategies Using Non-Public-Use Data (with Josh Angrist and Stacey Chen)
- 2005 RWJ Foundation Health and Society Scholars Program, Small Grant Program
- 2004 Rackham Interdisciplinary Grant, University of Michigan
- 2004 CLOSUP Grant, University of Michigan
- 2004 National Poverty Center Grant, University of Michigan
- 2002-2003 Chancellor's Dissertation Year Fellowship, UC Berkeley

Presentations

- 2018–2019 Columbia University, School of Law; Conference on Empirical Legal Studies, University of Michigan
- 2017–2018 Columbia University, School of Law; Georgetown University, School of Law
- 2016–2017 George Mason University, School of Law; University of Michigan, Economics Department (Summer, Fall); Equities Leaders Summit; University of Zürich, Department of Economics; ETH (Swiss Federal Institute of Technology) Zürich, Law and Economics; Northwestern University, School of Law; Duke University, School of Law; Duke University, Information Initiative
- 2015–2016 Goldman Sachs; University of California, Berkeley, School of Law; University of Virginia, School of Law; University of California, Irvine; Equal Employment Opportunity Commission; National Bureau of Economic Research, Summer Institute
- 2014–2015 Duke University; Federal Reserve Bank of New York; Equal Employment Opportunity Commission (EEO-DataNet); American Law and Economics Association (discussant); New York University (NYU / Penn Law and Finance Conference); National Bureau of Economic Research, Summer Institute (discussant)
- 2013–2014 University of Southern California, School of Law; London School of Economics; Bank of Spain; CEMFI; Carlos III; University of Zaragoza; University of Rotterdam; University of Maastricht; University of Göteborg
- 2012–2013 University of California, Los Angeles, School of Law
- 2011–2012 University of Oregon, Department of Economics; University of British Columbia, Department of Economics; Brown University, Department of Economics; University of Rochester, Department of Economics; Cato Institute; National Bureau of Economic Research, Summer Institute; Harvard Law School
- 2010–2011 Northwestern, School of Law; University of Wisconsin, Department of Economics; Brookings Institution; Cato Institute
- 2009–2010 University of Chicago, School of Law; Cornell University, School of Law and Department of Economics; University of Michigan, School of Law and Department of Economics; University of Virginia, School of Law, Olin Conference
- 2008–2009 University of California, Los Angeles, School of Law; University of Arizona, School of Law and Department of Economics; Stanford University, School of Law and Department of Economics; University of Miami, Department of Economics
- 2007–2008 Northwestern University, School of Law; University of Michigan, Department of Economics; National Bureau of Economic Research, Summer Institute; Florida State University
- Prior to 2007–2008, presentations are at departments of economics, unless otherwise noted*
- 2006–2007 University of Michigan, Program in Survey Methodology; Public Policy Institute of California; Brown University
- 2005–2006 University of Michigan; University of California, Irvine; University of California, Santa Barbara; University of California, Santa Cruz; California State University, Long Beach; University of Western Ontario; University of Toronto; University of Illinois, Chicago; University of Chicago, Graduate School of Business; APPAM; University of Florida; University of California, Berkeley, School of Law; Princeton University; RAND; Hebrew University (conference in honor of Reuben Gronau); Stanford University, University of Wisconsin, Madison; Northwestern University; Crime and Economics Summer Workshop, University of Maryland
- 2004–2005 Federal Reserve Bank of Chicago; University of Illinois, Urbana-Champaign; University of Michigan, William Davidson Institute; University of Maryland; Urban Institute; American Economics Association Meetings; City University of New York Health Economics Seminar; University of Wisconsin, Madison; Stanford University; University of California, Davis; University of California, Berkeley, Labor Lunch; NBER Summer Institute, Education/Labor Studies
- 2003–2004 University of Michigan; APPAM; NBER Labor Studies Meeting (Fall); Massachusetts Institute of Technology; Harvard University, Kennedy School; University of California, Los Angeles; University of California, San Diego; Columbia University; University of California, Berkeley; NBER Summer Institute, Monetary Policy; NBER Summer Institute, Labor Studies

2002–2003 University of California, San Diego; University of California, Los Angeles; RAND Institute; University of Chicago, Graduate School of Business; University of Chicago, Harris School of Public Policy; University of Michigan, Ford School of Public Policy; Columbia University; Dartmouth College; Federal Reserve Bank of New York; Boston University

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