

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT
HARTFORD DIVISION**

Beth Andrew-Berry, individually and as a representative of the GWA, LLC 401(k) Profit Sharing Plan and a class of similarly situated persons,

Plaintiffs,

v.

George A. Weiss and GWA, LLC,

Defendants.

Case No.: 3:23-CV-00978-OAW

August 4, 2025

DECLARATION OF STEVE POMERANTZ, Ph.D

I, Steve Pomerantz, Ph.D, declare as follows:

1. I am the founder and President of Steve Pomerantz LLC, an investment and financial consulting firm located in New York City.
2. My curriculum vitae and a list of cases in which I have testified in the previous four years as an expert at trial or deposition are attached as Exhibit 1.
3. I received a Ph.D. in Mathematics from the University of California at Berkeley and a B.A. in Mathematics from Queens College of the City University of New York.
4. I am currently an Adjunct Professor of Mathematics at St. Joseph's University. I previously taught courses in statistics, probability, operations research, mathematics, and finance at the undergraduate and graduate levels for various institutions.

5. My experience in the investment management industry spans over 30 years. During my career, I have held positions in research and management for fixed income, equities, derivatives, and alternative investments at major firms including Morgan Stanley, Citibank, and Weiss Peck & Greer LLC (“WPG”). I have also consulted for alternative investment management firms including numerous hedge funds and fund-of-funds.

6. At WPG, I started as the Director of Fixed Income Research with additional portfolio management responsibilities. I then became the Director of Quantitative Research with responsibility for quantitative research on all of WPG’s products including traditional, alternative, fixed income, and equity products. As the Director of Quantitative Research, I was the Chair of the Asset Allocation Committee. I also served on the Executive Committee, the Investment Policy Committees of both traditional and alternative products, and on the firm-wide Product Review Committee. My role on the Product Review Committee was to monitor the performance of all products including hedge funds and other investment vehicles offered by WPG. In addition to my role monitoring WPG’s investment products, I also supported the firm’s clients by assisting them in identifying investment vehicles that would meet their investment goals, and portfolio management. The firm’s clients that I supported included institutional investors, hedge funds, funds of funds, defined benefit plans, and defined contribution plans and trusts.

7. Subsequent to WPG, I worked as a consultant to a variety of investment management firms. I have been a portfolio manager and a risk manager providing services to both traditional and alternative investments and providing investment and asset allocation advice to a wide range of clients. I was a portfolio manager for fixed income, equity, and hedge fund accounts. As a portfolio manager, I developed security selection models (algorithms) to be used in the construction of portfolios. My role as a risk manager was parallel to that of a portfolio manager,

where I utilized similar analytical methods to monitor rather than construct portfolios. Additionally, I have spoken at investment seminars, presenting on various areas of portfolio management, risk management, asset allocation, hedge fund products, and securities pricing. My publications include: *Mutual Fund Advisory Fees: New Evidence and a Fair Fiduciary Duty Test*, 61 Okla. L. Rev. 83 (2008); *Some Clarity on Mutual Fund Fees*, 20 U. Pa. J. Bus. L. 767 (2018); and *Designing a 401(k) Plan*, New York State Bar Association Newsletter – Fall/Winter 2005.

8. I have offered expert opinions and/or testimony in a variety of venues, including the United States District Court for the Southern District of New York, on matters similar to those discussed herein. This includes several cases involving claims under the Employee Retirement Income Security Act (“ERISA”), including among others: *Krohnengold v. New York Life Insurance Co.*, No. 1:21-cv-01788 (S.D.N.Y.); *Moreno v. Deutsche Bank Americas Holding Corp.*, No. 1:15-cv-09936 (S.D.N.Y.) (where a motion to exclude my expert testimony was denied, *see* ECF No. 246 ¶ 6); *Brotherston v. Putnam Investments, LLC*, 907 F.3d 17 (1st Cir. 2018) (where the First Circuit held that my testimony was sufficient to support a finding of loss to the Putnam Retirement Plan); and *Tussey v. ABB Inc.*, 2017 WL 6343803 (W.D. Mo. Dec. 12, 2017) (where the trial court accepted my analysis that “the proper method of calculating damages is to compare the performance of the Wellington Fund with the relevant Freedom Funds”).¹

9. I am being paid an hourly fee of \$700.00 for my services in this engagement. My fee is not contingent on the outcome of this action or the conclusions expressed in this Declaration.

10. I was engaged by Plaintiff’s Counsel on July 3, 2024 to analyze how the GWA, LLC 401(k) Profit Sharing Plan (the “Plan”) would have performed if it had been invested in

¹ *See also Tussey v. ABB, Inc.*, 850 F.3d 951 (8th Cir. 2017) (holding that this methodology of calculating losses to the plan was permissible and remanding for further proceedings to the district court).

different investments than the Weiss Funds challenged in Plaintiff's complaint. It is my understanding that this engagement was intended to provide Plaintiff's counsel an understanding of the losses (i.e., damages) suffered by the Plan as a result of investing in the Weiss Funds for an upcoming mediation in this case.

11. In addition, Plaintiff's counsel engaged me to submit a declaration in this matter stating the methodology I used to review the Weiss Funds' performance and to determine the Plan losses in advance of the parties' mediation.

12. The opinions that I offer herein are based on my review of the facts, data, and documents provided to me in this case as well as my training, education and experience as an investment professional and investment expert.

Methodology and Conclusion

13. The methodology I have applied in numerous similar cases, and which I applied here to calculate Plan losses, compares the performance of Plan's investment in the Weiss Funds to the Plan's performance assuming it was invested in a diversified portfolio of stocks, bonds, and other asset classes typical of defined contribution retirement plans.

14. To determine the appropriate asset allocation of diversified stock, bonds and other asset classes for the loss calculations, I considered two primary factors: (1) the average age of the Plan's participants and (2) the asset class selection and allocation typical of retirement plans with a similar demographic profile.

15. To determine the average age of the Plan's participants, I reviewed recordkeeper data that detailed the size of each participant's Plan account and their respective birthdates. With this data, I calculated the asset-weighted average age of the Plan's participants. I calculated this age as 63.

16. To determine the appropriate asset allocation for a defined contribution plan with the Plan's demographic profile, I considered the most commonly used asset allocation funds within defined contribution plans: Target Date Funds and Balanced Funds. Both types of allocation funds are generally considered to be diversified investments with an appropriate mix of asset classes, and for the target date funds, the age of the participant is used to determine the approximate mix of asset classes.

17. Target Date Funds are intended to be used as the sole investment in a participant's accounts. The participant's target date fund will automatically invest in a diversified array of assets, which is intended to be appropriate for their age and time till retirement. This portfolio will automatically rebalance from aggressive to conservative as the participant's retirement date (the "target" date) approaches.² For purposes of my analysis, I considered the Vanguard Date Fund Suite.

18. The Vanguard Target Date Fund Suite is the most widely used target date fund series in the defined contribution retirement space, and holds approximately \$1.3 trillion of assets under management.³

19. Considering the Plan's demographics and the participants' asset-weighted average age, I determined that the Plan's asset allocation would have been corresponded with that of the Vanguard Target Date Fund 2025 Fund,⁴ which is approximately 51% stocks (allocated between

² *Target Retirement Funds: A one-fund investing approach*, Vanguard, <https://retirementplans.vanguard.com/VGApp/pe/pubeducation/investing/LTgoals/TargetRetirementFunds.jsf>.

³ Noah Zuss, *Target-Date Assets Reach Record High \$3.5 Trillion in 2023*, Plan Sponsor, Feb. 14, 2024, <https://www.plansponsor.com/target-date-assets-reach-record-high-3-5-trillion-in-2023/>.

⁴ *Target Retirement Funds*, Vanguard, <https://investor.vanguard.com/investment-products/mutual-funds/target-retirement-funds>.

domestic and international equities) and 49% bonds (allocated between domestic and international instruments).⁵

20. Balanced Funds, like Target Date Funds, may be used as the sole investment in a participant's account. A Balanced Fund is invested in a diversified array of assets, which are allocated at a risk level that is appropriate regardless of the participant's age. Unlike a Target Date Fund, a Balanced Fund generally maintains a static asset allocation and will not rebalance from aggressive to conservative over time.

21. For purposes of my analysis, I considered the four most popular Balance Funds by assets under management, which includes the American Funds American Balanced, Vanguard Wellington, Vanguard Balanced Index, and Fidelity Balanced. These funds have asset allocations which range from 60-65% stocks (allocated between domestic and international equities)⁶ and 35-40% bonds (allocated between domestic and international instruments). These Balance Funds had average assets under management that ranged from \$28.5 billion to \$113.4 billion.

22. To determine the Plan's underperformance and losses, I compared the Plan's actual performance (as invested in the Weiss Funds) to the Plan's performance if it were invested in either a Target Date Fund or a Balanced Fund. Through this comparative analysis, I determined that the

⁵ *VTTVX Vanguard Target Retirement 2025 Fund*, Vanguard, <https://investor.vanguard.com/investment-products/mutual-funds/profile/vttvx#portfolio-composition>.

⁶ *American Balanced Fund (AMBFX)*, Capital Group, <https://www.capitalgroup.com/advisor/investments/fund/ambfx>; *VWELX Vanguard Wellington Fund Investor Shares*, Vanguard, <https://investor.vanguard.com/investment-products/mutual-funds/profile/vwelx#portfolio-composition>; *VBIAX Vanguard Balanced Index Fund Admiral Shares*, Vanguard, <https://investor.vanguard.com/investment-products/mutual-funds/profile/vbiax#portfolio-composition>; *Fidelity Balanced Fund*, Fidelity, <https://fundresearch.fidelity.com/mutual-funds/summary/316345206>.

Plan's losses ranged from a conservative estimate of \$21.8 million when compared to the Target Date Fund, to an average for the Balanced Funds of \$47.9 million.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: August 4, 2025

A handwritten signature in black ink, appearing to be "Steph", is written above a solid horizontal line.

EXHIBIT 1

Steve Pomerantz Ph.D.

steve@stevepomerantz.com

1-609-273-3286

LICENSES

Dr. Pomerantz has held numerous NASD licenses including the Series 3, 7, 24 and 63. In addition, he is a FINRA-trained arbitrator.

EDUCATION

Dr. Pomerantz received a Ph.D. in Mathematics from the University of California at Berkeley in 1986. His thesis was in the area of Non-Linear Partial Differential Equations. In 1981 he received a Bachelor of Arts in Mathematics from Queens College of the City University of New York.

TEACHING EXPERIENCE

Dr. Pomerantz is currently an adjunct professor at Saint Joseph's University. Prior positions were held at Stevens Institute of Technology, the College of Saint Elizabeth, Saint Peter's College, and the City University of New York, teaching courses in Finance, Operations Research, Mathematics, Statistics and Probability.

PRIOR WORK EXPERIENCE

Steve Pomerantz LLC

2000-

Investment Management Consultant

Various assignments in research, portfolio management and risk management for: Insurance Companies, Family Offices, Traditional and Alternative Investment Advisors. Consulting and Testifying expert. Currently serve on Investment Committee for Mathematical Association of America and Defend our Health.

Managing Director
Duff & Phelps LLC
Litigation Support

2013-2014

Director of Quantitative Research Weiss Peck & Greer LLC Provided quantitative decision support to all investment management areas of the firm including equity, fixed income, alternatives, asset allocation, client servicing and firm-wide risk management.	1992-2000
Vice President Nomura Securities International Cross-market trader in all fixed income and mortgage derivative markets.	1990-1992
Vice President Citibank - Consumer Banking Group Asset liability management for consumer banking division and internal mortgage portfolio.	1988-1990
Vice President Morgan Stanley Development and trading of dynamic hedging strategies in equity, interest rate, commodity and currency markets.	1987-1988
Vice President Bank of America Model development for bond analysis and exotic currency options.	1986-1987

ARTICLES PUBLISHED

MUTUAL FUND ADVISORY FEES: SPONSORS GAME THE SYSTEM AS WATCHDOGS SLUMBER. Ohio State Business Law Journal, vol. 15, no. 1 (2021), 29-84.

IT'S NOT COMPLICATED – INVESTING FOR EVERYONE

SOME CLARITY ON MUTUAL FUND FEES (with Stewart L. Brown)
Journal of Business Law, Volume 20, Number 4. (2017)

MUTUAL FUND ADVISORY FEES: NEW EVIDENCE AND A FAIR FIDUCIARY DUTY TEST (with John P. Freeman & Stewart L. Brown)
61 Okla. L. Rev. 83 (2008)

MONTE CARLO SIMULATION ANALYSIS – A TOOL FOR PROJECTING THE UNKNOWN (with Bruce Dubinsky)
CPA Expert – Winter 2007

MONTE CARLO SIMULATION ANALYSIS – Part II: BEYOND THE THEORY
CPA Expert – Spring 2007

MONTE CARLO SIMULATION ANALYSIS – Part III: A CASE HISTORY
CPA Expert – Summer 2007

THE PURSUIT OF ALPHA IN A FUND OF HEDGE FUNDS

Hedge Fund Association – May 2006

MONTE-CARLO ANALYSIS: A TOOL FOR EVALUATING INVESTMENT RETURNS

New York State Bar Association Newsletter – Fall/Winter 2005

DESIGNING A 401K PLAN

New York State Bar Association Newsletter – Fall/Winter 2005

AN INFORMATION-BASED MODEL OF MARKET VOLATILITY (with Rick Bookstaber)

Financial Analyst Journal – November/December 1989

Received the 1989 Graham and Dodd Scroll Award by the Financial Analysts Federation

PRESENTATIONS

HEDGE FUND DUE DILLIGENCE

U. S. Department of Labor – December 2012

EVOLVING RISK CONCEPTS AND TOOLS

InfoVest – February 2010

USING STYLE ANALYSIS TO CALCULATE VAR

MPI Conference – March 2008

RISK MANAGEMENT FOR HEDGE FUNDS AND FUND OF FUNDS

ICI Economic Consulting – January 2005

AN APPLICATION OF ASSET ALLOCATION

IRR Fund of Funds Forum – September 2002

APPEARANCES

Deposition in Schissler vs Janus Henderson et al. District of Colorado, Investment Analysis, May 2025

Deposition in Johnson vs Russell Investments Trust Company et al. Western District of Washington, Investment Analysis, October 2024

Deposition in Wanek vs Russell Investments Trust Company et al. District of Nevada, Investment Analysis, September 2024

Deposition in Klawonn vs Board of Directors for Motion Picture Industry et al. Central District of California, Investment Analysis, July 2024

Deposition in Krohnenegold vs New York Life Insurance Co. Southern District of New York, Investment Analysis, January 2024

Deposition in Waldner vs Natixis Investment Managers, L.P. District of Massachusetts, Investment Analysis, September 2023

Direct and Cross-Examination Testimony in Kirk Stevens v. Commissioner of Internal Revenue, Tax Shelter Analysis, May 2023

Deposition in Berry vs First Group America, Inc., Southern District of Ohio, Investment Analysis, August 2022

Deposition in Falberg vs The Goldman Sachs Group, Inc., Southern District of New York, Investment Analysis, January 2022

Deposition in Davis vs Stadion Money Management, LLC., District of Nebraska, Investment Analysis, August 2021

Deposition in Bernard vs BNY Mellon, N.A., Western District of Pennsylvania, Investment Analysis, March 2021. Hearing September 2021, March 2022

Deposition in Reetz vs Lowe's Companies, Inc., Western District of North Carolina, 401(k) Analysis, November 2020

Deposition in Myers vs Seventy Seven Energy, Inc., Western District of Oklahoma, Investment Analysis, October 2020

Deposition in Baird vs BlackRock Institutional Trust Co., Northern District of California, 401(k) Analysis, August 2020

Deposition in Feinberg vs T. Rowe Price Group Inc., District of Maryland, 401(k) Analysis, June 2020

Deposition in Banks vs Northern Trust, Northern District of California, Investment Analysis, November 2019

Deposition in Moitoso vs FMR LLC, Northern District of California, 401(k) Analysis, August 2019

Direct and Cross-Examination in Swan Global Investments vs Brookstone Capital Management, AAA, Analysis, December 2018

Deposition in Re: SunTrust Banks, Inc., US District Court – Northern District of Georgia, 401(k) Analysis, December 2018

Deposition in Re: Northrop Grumman, US District Court – Central District of California, 401(k) Analysis, October 2018

Deposition, Direct and Cross Examination in Quatrone vs Gannett Co., Inc. , Eastern District of Virginia, Investment Analysis, July 2018, May 2022, April 2023

Deposition in Cryer vs Franklin Resources, Northern District of California, 401(k) Analysis, July 2018

Deposition in Moreno vs Deutsche Bank, Southern District of New York, 401(k) Analysis, December 2017

Deposition in Urakhchin vs Allianz, Central District of California, 401(k) Analysis, October 2017

Deposition, Direct and Cross Examination in Wildman vs American Century, Western District of Missouri, 401(k) Analysis, October 2017, September 2018

Direct, Cross and Deposition in Chill vs Calamos, Southern District of New York, Mutual Fund Fee Analysis, September 2017, November 2018

Deposition in Henderson vs BNY Mellon, District of Massachusetts, Investment Analysis, August 2017

Deposition in Wood vs Prudential Life Insurance, District of Connecticut, Stable Value Analysis, July 2017

Deposition in Lehman Brothers vs FHLBNY, Southern District of New York, Investment Analysis, February 2017

Deposition in Ellis vs Fidelity Investments, District of Massachusetts, Stable Value Analysis, January 2017

Deposition, Direct and Cross Examination in Brotherston vs Putnam Investments LLC, District of Massachusetts, 401(k) Analysis, December 2016, April 2017

Deposition in Rozo vs Principal Life Ins. Co., Central District of California, Stable Value Fund Management, October 2016

Deposition in McClure vs Russell. Investment Mgmt Co., District of Massachusetts, Mutual Fund Fee Analysis, February 2016

Deposition in Teets vs Great-West Life & Annuity Ins. Co., District of Colorado, Stable Value Management, January 2016, March 2017

Direct, Cross-Examination and Deposition in Andrew Sassine vs Fidelity Management and Research Co., Commonwealth of Massachusetts – Superior Court, Investment Management, October 2015, April 2016

Deposition in American Chemicals & Equipment, Inc. vs Principal Management Co, US District Court – Southern District of Iowa, Mutual Fund Fee Analysis, October 2015

Direct and Cross-Examination in IFIC vs Charles Schwab, Investment Analysis, September 2015

Deposition in Irving H. Picard v. Merkin et al, US Bankruptcy Court – Southern District of New York, Investment Management, July 2015

Deposition in Kasilag et al v. Hartford Funds Management Co. LLC, US District Court – District of New Jersey, Mutual Fund Fee Analysis, June 2015

Deposition in CCM Rochester, Inc v. Federated Investors, US District Court – Southern District of New York, Investment Analysis, June 2015

Direct and Cross-Examination in Re: US Airlines, Pilots Board of Adjustment, 401(k) Analysis, April 2015

Deposition in Re J.P. Morgan Stable Value Fund, US District Court – Southern District of New York, Investment Analysis, March 2015, February 2016, April 2016

Deposition, Direct and Cross-Examination in Foutz al v. Arborgen. et al, State of South Carolina –County of Dorchester, Employee Options Analysis, December 2014

Deposition, Direct and Cross Examination in Sivolella et al v. AXA Equitable Life Insurance Co., US District Court – District of New Jersey, Mutual Fund Fee Analysis, November 2014, January 2016

Deposition in Krueger et al v. Ameriprise Financial, Inc. et al, US District Court – District of Minnesota, 401(k) Analysis, September 2014

Deposition in DeLollis et al v. Margolin, Winer & Evans., State of New York – County of Nassau, Investment Analysis, September 2014

Deposition In Re: Ciufu Trust, Circuit Court of the First Circuit, State of Hawai’I, Investment Analysis, June 2014

Deposition in Santomenno et al v. Transamerica Life Insurance Co., US District Court – Central District of California, 401(k) Analysis, June 2014

Deposition, Direct and Cross-Examination in Convergent Wealth Advisors v. Lexington Insurance, Circuit Court of Montgomery County, Maryland, Hedge Fund Due Diligence, May 2014

Direct and Cross-Examination Testimony in Buchanan v. Primerica, NASD Arbitration, Investment Suitability, November 2013

Direct and Cross-Examination Testimony in Smith v. Primerica, NASD Arbitration, Investment Suitability, October 2013

Direct and Cross-Examination Testimony in Ward v. Primerica, NASD Arbitration, Investment Suitability, June 2013

Direct and Cross-Examination Testimony in DeShazor v. Primerica, NASD Arbitration, Investment Suitability, April 2013

Direct and Cross-Examination Testimony in Schneider v. Primerica, NASD Arbitration, Investment Suitability, March 2013

Deposition in Curran et al v. Principal Management Corporation, US District Court – Southern District of Iowa, Mutual Fund Fee Analysis, January 2013

Direct and Cross-Examination Testimony in Fiorilla v. Citigroup, NASD Arbitration, Investment Suitability, December 2012

Direct and Cross-Examination Testimony in Grevelding et al v. State of New York, State of New York– Court of Claims, December 2012

Deposition in Reso et al v. Artisan Partners, US District Court –Eastern District of Wisconsin, Mutual Fund Fee Analysis, June 2012

Deposition in Eastman et al v. First Data Corp, US District Court – District of New Jersey, Investment Management, June 2012

Deposition in Irving H. Picard v. Katz et al, US Bankruptcy Court – Southern District of New York, Investment Management, January 2012

Deposition in Goldberg et al v. Indel Inc.. et al, US District Court – District of New Jersey, Investment Suitability, January 2012

Deposition in Nolte et al v. Cigna Corporation et al, US District Court – Central District of Illinois, 401(k) Analysis, January 2012

Deposition in Inmobiliaria Axial, S.A. v. Banco Santander International, AAA, Investment Suitability, April 2011

Deposition in DDRA v. KPMG, US District Court – Division of St. Croix, Tax Shelter Analysis, March 2011

Deposition in Re: Northrop Grumman, US District Court – Central District of California, 401(k) Analysis, February 2011, March 2016

Deposition in George et al v. Kraft Foods Global, Inc. et al, US District Court – Northern District of Illinois, 401(k) Analysis, November 2010

Deposition in Robin Figas et al v. Wells Fargo et al, US District Court – District of Minnesota, 401(k) Analysis, October 2010

Direct and Cross-Examination Testimony in Citrone v. Chequer, Chon & Krensky, AAA, Employee Option Analysis September 2010

Direct and Cross-Examination Testimony in MacDonald v. Genspring Family Office, JAMS, Investment Suitability, March 2010

Deposition in Schmidt v. Wachovia Bank, US District Court – Western District of Northern Carolina, Tax Shelter Analysis, February 2010

Deposition in Re: Federated Mutual Funds, US District Court –Western District of Pennsylvania, Mutual Fund Fee Analysis, December 2009

Direct and Cross-Examination Testimony in Hawkins, et al v. United States of America, et al, US Bankruptcy Court, Tax Shelter Analysis, December 2009

Deposition, Direct and Cross-Examination Testimony in Tibble et al v. Edison Intl. et al, US District Court –Central District of California, 401(k) Analysis, May 2009, October 2009, May 2017, June 2017

Deposition in Alfano v. BDO Seidman et al, Superior Court of New Jersey –Bergen County, Tax Shelter Analysis, January 2009

Deposition in Re: Inter Vivos Trust, Superior Court of New Jersey –Bergen County, Investment Suitability, January 2009, October 2010

Deposition in Giordano v. Merrill Lynch & Co. Inc., Superior Court of New Jersey – Mercer County, Stock Option Analysis, January 2009

Deposition, Direct and Cross-Examination Testimony, Deposition in Kennedy et al v. ABB Inc., et al, US District Court –Western District of Missouri, 401(k) Analysis, November 2008, March 2008, January 2010

Deposition in Pat Beesley et al v. International Paper, US District Court –Southern District of Illinois, 401(k) Analysis, November 2008, September 2011

Deposition in Abbot et al v. Lockheed Martin Corporation, US District Court –Southern District of Illinois, 401(k) Analysis, October 2008, October 2014

Deposition in Kanawi et al v. Bechtel Corporation, US District Court –Northern District of California, 401(k) Analysis, September 2008

Deposition in Bennett et al v. Fidelity, US District Court –District of Massachusetts, Mutual Fund Fee Analysis, September 2008

Deposition, Direct and Cross-Examination Testimony in Bemont et al v. The United States of America, US District Court –Eastern District of Texas, Tax Shelter Analysis, June 2008, July 2009, March 2010

Deposition in Atwater et al v. NFLPA, US District Court - Northern District of Georgia, Investment Suitability, May 2008

Deposition in Taylor et al v. United Technologies Corporation, US District Court –District of Connecticut, 401(k) Analysis, April 2008

Deposition in Spano et al v. The Boeing Company, US District Court –Southern District of Illinois, 401(k) Analysis, April 2008, September 2011, April 2015

Direct and Cross-Examination Testimony in Fegers et al v. Atlantic Data Services, Inc., Commonwealth of Massachusetts – Superior Court, February 2008

Direct and Cross-Examination Testimony in New Phoenix v. Commissioner of Internal Revenue, Tax Shelter Analysis, January 2008

Direct and Cross-Examination Testimony in Rosenbach et al v. DGI, AAA, Tax Shelter Analysis, October 2007

Deposition in Trotman v. Delaware Management Business Trust, US District Court – Eastern District of Pennsylvania, Investment Management, October 2007

Deposition in Spillsbury v. KPMG, District Court of Clark County, Nevada, Tax Shelter Analysis, August 2007

Deposition in Strigliabatti et al v. Franklin Resources Inc., US District Court –Northern District of California, Mutual Fund Fee Analysis, May 2007

Deposition in Gallus et al v. American Express Financial Corp., US District Court –District of Minnesota, Mutual Fund Fee Analysis, January 2007

Deposition in Sullivan v. KPMG and QA Investments, Superior Court of New Jersey, Tax Shelter Analysis, November 2006

Direct and Cross-Examination Testimony in Techtmann v. Merrill Lynch, NASD Arbitration, Investment Suitability, November 2006

Deposition in Sklodowski v. First Union, Superior Court of New Jersey, Analysis of Investment Performance, October 2006

Deposition in WCF LLC v. Charles Calomiris, Superior Court –District of Columbia, Investment Management, October 2006

Direct and Cross-Examination Testimony in Guido v. McDonald Securities, NASD Arbitration, Investment Suitability, October 2006

Deposition in Sins et al v. Janus Capital Management, US District Court –District of Colorado, Mutual Fund Fee Analysis, September 2006

Direct and Cross-Examination Testimony in Kusma v. Smith Barney, NASD Arbitration, Investment Suitability, April 2006

Direct and Cross-Examination Testimony in Chu v. Smith Barney, NASD Arbitration, Investment Suitability, March 2006

Deposition in Williams et al v. Waddell & Reed, US District Court –District of Kansas, Mutual Fund Fee Analysis, March 2006, July 2006

Deposition in McNair v. KPMG, District Court of Harris County – Texas, Tax Shelter Analysis, February 2006

Deposition in Jones et al v. Harris Associates LP, US District Court – Northern District of Illinois, Mutual Fund Fee Analysis, February 2006

Deposition in Baker et al v. American Century, US District Court – Western District of Missouri, Mutual Fund Fee Analysis, December 2005, April 2006

Deposition in Nelson et al v. UBS Asset Management, US District Court – Northern District of Illinois, Investment Suitability, August 2005

Deposition, Direct and Cross-Examination Testimony in Coleman v. KPMG, AAA, Tax Shelter Analysis August 2005

Deposition in Gibson v. First Union, Superior Court of New Jersey, Analysis of Investment Performance, July 2005

Deposition in Lola Brown Trust et al v. Neuberger Berman Real Estate Income Fund, US District Court – District of Maryland, Investment Management Performance, Asset Allocation and Event Models, May 2005

Deposition in Hobby v. Georgia Power, US District Court – Atlanta Division, Valuation of Employee Stock Options, March 2005

Direct and Cross-Examination Testimony in Kahn v. Oppenheimer & Co., Inc., NASD Arbitration, Investment Suitability, February 2005

Deposition in Howard v. Covansys Inc., US District Court – Eastern Division, Valuation of Employee Stock Options, July 2004

Direct and Cross-Examination Testimony in Stacy Foundation v. Merrill Lynch, Pierce, Fenner & Smith, Inc., JAMS Arbitration, Investment Suitability, June 2004

October 2024