

DALE E. BOISSO, Ph.D.
Consulting Economist, President

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BOISSO Σ ASSOCIATES, LLC

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CURRENT POSITION

BOISSO Σ ASSOCIATES is a forensic economics consulting firm in the Dallas, Texas area, serving clients throughout the United States. Prior to starting his own firm, Dr. Boisso gained extensive litigation experience as a Manager of Forensic and Litigation Services at KPMG Peat Marwick, a Senior Engagement Manager at Navigant Consulting Group, and a Senior Economist at Ruhter & Reynolds.

EDUCATIONAL BACKGROUND

Dr. Boisso earned a Bachelor of Arts degree in Political Science from Eastern Illinois University (1979), a Master of Arts degree in Economics from Eastern Illinois University (1982), a Master of Arts (1994) and Doctor of Philosophy degree (Ph.D.) in Economics from Southern Methodist University (1996).

PROFESSIONAL EXPERIENCE

Commercial / Business Litigation

Dr. Boisso has substantial experience in preparation of, and defense against, lost profits claims. He prepares detailed lost revenue and avoided costs models, utilizing historical parameters, market factors, statistical inquiry, estimates of survival/hazard rates, forecasting techniques, and developing support for critical assumptions. Such analyses include deriving appropriate discount rates for un-established business, minority interest discounts, and discounts for lack of marketability. Dr. Boisso's experience includes evaluating opposing experts' reports, assisting counsel in preparing for testimony by other experts, including Daubert hearings, and creating trial exhibits and demonstratives. Examples of industries in which Dr. Boisso has business litigation experience include:

- Apparel Manufacturing
- Automotive Maintenance Services
- Cable Network Television
- Carbon Reduction/Recycling Facility
- Cattle Feedlot Operations
- Children's Toys
- Chiropractic Clinics
- Commercial Cleaning Services
- Commercial Construction Contractor
- Commercial Lending
- Commercial Real Estate Development
- Computer Hardware
- Custom Home Builder
- Convenience Stores / Gas Stations
- Credit / Debt Collection Service
- Exercise Equipment
- Franchise Bakeries (Specialty Cakes)
- Franchise Children's Learning Centers
- Franchise Labor Staffing Services
- Grey Market Automobile Parts
- Helicopter Replacement Parts
- Hospital Patient Information Systems
- In-store Digital Advertising
- Insurance Agency
- Interior Design Services
- Limousine Services
- Medical Waste Disposal Services
- Mortgage Financial Services
- Movie Theatres
- Multi-Level Network Marketing
- Natural Gas Brokerage Services
- Organic Farming Operations
- Outdoor Living Space Design
- Physicians' Practice
- Pizza Manufacturer
- Recycled Electronics
- Retail Clothing Store
- Telephone Switching Equipment

Personal Injury / Wrongful Employment Termination

Dr. Boisso calculates economic losses resulting from personal injury, wrongful death, and wrongful termination of employees. Such losses can include lost wages/salary, lost earning capacity, the value of employee "fringe" benefits, stock options and grants, pension benefits, Social Security or railroad retirement benefits, and in some injury cases, the value of lost household services and/or the present value of forecast medical expenses. Dr. Boisso assists client-attorneys by evaluating opposing experts' reports, and helps counsel prepare for depositions and trial. Examples of occupations (of plaintiffs/claimants) for which Dr. Boisso has calculated lost earnings are:

- Accountant
- Air Traffic Controller
- Airline Flight Attendant
- Airline Pilot
- Anesthesiologist
- Annuity Salesperson
- Attorney
- Cattle Rancher
- Chief Operating Officer
- Child Daycare Owner
- Children (Minors)
- College Professor
- Computer Scientist
- Custom Saddle Maker
- Electrician
- Emergency Medical Tech.
- Engineer (Industrial)
- Engineer (Mechanical)
- Environmental Consultant
- Financial Advisor
- Fireman
- Funeral Home Director
- Homemaker
- Information Technologist
- Insurance Adjustor
- Insurance Broker
- Landscaper
- Language Translator
- Medical School Student
- Military Personnel
- Mortgage Broker
- Newspaper Reporter
- Nurse
- Office Manager
- Oil Field Laborer
- Operations Manager
- Ophthalmologist
- Physician's Assistant
- Police Officer
- Political Consultant
- Power Plant Technician
- Procurement Manager
- Railroad Worker
- Real Estate Broker
- Retail Store Clerk
- Retail Store Owner
- Sales Manager
- Scientist
- Self-employed Handyman
- School Counselor
- School Librarian
- Stockbroker
- Surgeon-Physician
- Teachers
- Treasurer (Corporate)
- Truck Driver
- Veterinarian

Intellectual Property Infringement / Misappropriation of Trade Secrets

Dr. Boisso's experience in patent and copyright infringement cases includes evaluation of the Georgia Pacific factors, determination of reasonable royalty rates, calculation of lost revenues and avoided costs, estimation of increased costs of business, and analysis of price erosion. He assists counsel in evaluating opposing experts' reports and in preparation for testimony of experts and Daubert challenges, as well as creating trial exhibits and demonstratives. Examples of industries in which Dr. Boisso has patent and copyright infringement experience include:

- Credit / Debt Collection Service
- Computer Audio Chips
- Computer Software
- Concrete Construction Materials
- Electrical Switches
- House Floor Plan Designs
- Insurance Agencies
- Musical Compositions
- Political Campaign Symbols
- Promotional Products
- Railroad Cars
- Refrigeration Units

Employment Discrimination

Dr. Boisso has conducted statistical analyses of gender, racial and age discrimination claims, including that for individual claimants and classes of employees. He has calculated lost earnings consequent to pay and promotion differentials between groups of employees. In some instances, he has analyzed reasonable allocations of proposed settlements between back pay, front pay, compensatory damages, and prejudgment interest in class action suits. Examples of industries in which Dr. Boisso has analyzed employment discrimination are:

- Customer Service Call Center
- Credit Card Issuer
- Grocery Store Chain
- Home Remodeling Retail Store Chain
- Newspaper
- Sugar Refiner

Antitrust

Dr. Boisso has performed market definition and market power analyses in cases involving monopoly and monopsony. He has calculated lost profits in matters involving predatory pricing, price fixing, wage suppression, and denial of essential facilities. Examples of industries in which Dr. Boisso has antitrust experience are:

- Bakery Goods
- Cardiothoracic Surgery
- Dairy Products
- Oil & Gas Drilling Services
- School Book Depositories
- Waste Disposal Services

Economic Impact / Cost-Benefit Studies

Dr. Boisso develops economic impact and cost-benefit studies, including: Estimated and testified about fair-return prices for automobile towing services regulated by various municipalities in Texas; Appraised the impact of a non-profit's learning garden program on the long-term earning potential of economically disadvantaged elementary school students; Calculated the multiplier effect of a national heritage area on business and consumer economic activity; and, Examined the potential impact to the State of Texas if it did not pay a large settlement in a breach of contract lawsuit against the State.

TESTIMONY EXPERIENCE

Dr. Boisso has given expert testimony on his findings and opinions in 70+ depositions and 30+ trials (arbitrations) in state and federal courts, as well as to city councils and a state regulatory commission.

TEACHING EXPERIENCE / CONTINUING EDUCATION COURSES GIVEN

- 1994 – 2012 Instructor and Adjunct Professor – Southern Methodist University
Principles of Macroeconomics; Principles of Microeconomics; Intermediate Price Theory; Cost–Benefit Analysis; Trade Policy and the World Trade System; International Trade; Public Finance
- 1998 – Present Continuing Legal Education (CLE) seminars
Patent Infringement Damages: Lost Profits and Reasonable Royalties
Critical Issues in Calculating Losses in Personal Injury and Wrongful Death Cases
Geographic and Product Market Definition in Antitrust Litigation
Lost Profits in Business Litigation
Selecting and Working With Damages Experts in the Age of Daubert
Economic Losses Resulting From Wrongful Termination or Discrimination
The Role of Economic Analysis in Litigation
Statistical Analysis in Employment Discrimination
- 1996 – 1998 Guest Lecturer – Southern Methodist University – Law & Economics classes
The Use of Economics in Litigation: A Case Study in Antitrust;
The Use of Regression Analysis in Litigation
- 1984 – 1990 Instructor – Southwest Missouri State University
Principles of Macroeconomics; Principles of Microeconomics; Intermediate Macroeconomics; Price Theory; Money and Banking; Statistics for Economics

PUBLICATIONS

“Productivity and Efficiency in the U.S.: Effects of Business Cycles and Public Capital,” (with K. Hayes and S. Grosskopf), *Regional Science and Urban Economics*, Vol. 30, No. 6, 2000, pp. 663-681.

“An Analysis of Price-Fixing Claims and Economic Damages in the Matter of The Plaintiffs v. Mr. Darbis’ Widgets,” (with R. Basmann), *Forensic Economics: The Role of the Academic Economist in Litigation Support*, ed. Daniel J. Slottje, Amsterdam: North-Holland, 1999.

“Economic Distance, Cultural Distance, and Openness in International Trade: Empirical Puzzles,” (with M. Ferrantino), *Journal of Economic Integration*, Vol. 12, No. 4, December 1997, pp. 456-484.

“Occupational Segregation in the Multidimensional Case: Decomposition and Tests of Significance,” (with K. Hayes, J. Hirschberg, and J. Silber), *Journal of Econometrics*, Vol. 61, No. 1, March 1994, pp. 161-171.

AFFILIATIONS

National Association of Forensic Economics (NAFE)
American Academy of Economic and Financial Experts (AAEFE)