



## Robert Kneuper, PhD

### Director & Principal

1200 19th Street, NW, Suite 700  
Washington, DC 20036

Direct: 202.481-7318

Main: 202.973.2400

Email: [robert.kneuper@navigant.com](mailto:robert.kneuper@navigant.com)

#### PROFESSIONAL SUMMARY

Dr. Robert Kneuper is *Director and Principal* at Navigant Economics and has a Ph.D. in Applied Economics from Clemson University. Dr. Kneuper also serves as an adjunct professor at both Loyola University Chicago School of Law and at Charleston Southern University, where he teaches courses in antitrust economics, managerial economics and corporate finance.

Dr. Kneuper consults on a wide variety of applied economic and applied finance topics such as antitrust, damages, class certification, intellectual property, and regulation. Dr. Kneuper provides testimony both for private sector clients and for government regulators. His work spans a wide variety of industries including health care, pharmaceuticals, insurance, energy, media, entertainment, transportation, real estate, internet, sports, gaming, aerospace, defense, waste collection, retail and consumer products.

As part of his antitrust practice, Dr. Kneuper has provided economic analyses of the competitive impact of a wide variety of business practices that raise antitrust issues such as mergers, joint ventures, monopolization, IP licensing, price fixing, predatory pricing, price discrimination, tying, MFN clauses, monopsony, vertical restraints and more. As part his antitrust work, Dr. Kneuper applies both economic theory and data analyses to evaluate key antitrust issues such as market definition, market power, entry barriers, competitive effects, power buyers, failing firms and efficiencies.

Dr. Kneuper has estimated damages in a variety of contexts including in antitrust cases, intellectual property cases, breach of contract cases and class certification cases. In his damages work, Dr. Kneuper uses a combination of microeconomic modeling and data analyses to estimate the market impact on prices and/or profits of various types of alleged illegal acts.

Dr. Kneuper has also provided economic analyses of issues pertaining to class certification, including determining whether economic theory and data supports that there is a common impact to the class resulting from alleged illegal acts. In addition, Dr. Kneuper has evaluated the economic impact of a variety of business practices in conjunction with regulatory proceedings and regulatory oversight.

Dr. Kneuper's professional experience includes more than 10 years analyzing antitrust matters at the Federal Trade Commission. At the FTC, Dr. Kneuper's work focused on mergers, horizontal and vertical restraints, damages, monopolization, and intellectual property. Dr. Kneuper had a leadership role in developing the FTC's antitrust policy for cases involving patent settlements between branded and generic pharmaceutical companies. In addition, Dr. Kneuper participated extensively in the FTC's technical antitrust assistance program, advising various countries in development such as Poland, Lithuania, Latvia, Estonia and Venezuela.

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### REPRESENTATIVE CASES

- Provided economic analysis of damages in a class action suit involving allegations of misleading advertising against one of the largest suppliers of online advertising.
- Provided economic analysis of liability in an antitrust case involving allegations of monopolization by a retailer.
- Estimated damages for a large pharmaceutical company as part of a breach of contract lawsuit.
- Presented analyses to federal antitrust regulators involving the potential price impact of a contemplated merger involving a major manufacturer of consumer products.
- Provided economic analysis of liability in an antitrust case involving allegations of price fixing in the oil & gas industry.
- Provided economic analysis of class certification issues for the state of Florida in an alleged discrimination case.
- Provided economic analysis of liability and damages for a large manufacturer in a case involving allegations of anticompetitive tying.
- Analyzed antitrust issues for a large energy company in a multi-billion merger involving oil and gas pipelines.
- Analyzed antitrust issues and estimated damages for a large health care insurer in the context of an antitrust case involving allegedly anticompetitive market practices by a large health care provider.
- Provided economic analyses of antitrust issues for a large hospital system in conjunction with a potential merger with another hospital system.
- Provided analyses to federal antitrust regulators regarding the competitive impact of a merger involving two major aerospace and defense companies.
- Analyzed economic issues relating to class certification and damages for counsel to a class of plaintiffs in an antitrust case involving a multi-billion dollar merger.
- Evaluated economic issues involving whether the patented invention associated with a blockbuster pharmaceutical product is a “commercial success.”
- Analyzed the economic and financial impact of various private equity acquisitions on gaming in the state of Nevada for the Nevada Gaming Commission.
- Provided economic analyses for the Pennsylvania Insurance Department of the competitive effects associated with a proposed consolidation of two major Pennsylvania health insurers.

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### EDUCATION

- 1990 Ph.D., Applied Economics, Clemson University
- 1987 M.S., Economics, Clemson University
- 1986 B.S., Economics, George Mason University

### PROFESSIONAL POSITIONS

- 2010 - Present Director and Principal, Navigant Economics, LLC
- 2015 - Present Adjunct Faculty, Loyola University Chicago Law School
- 2014 - Present Adjunct Faculty, Charleston Southern University
- 1999 - 2013 Adjunct Faculty, Johns Hopkins University
- 2007 - 2010 Senior Managing Economist, LECG, LLC
- 2005 - 2007 Senior Economist, Economists, Incorporated.
- 1998 - 2005 Staff Economist, Federal Trade Commission
- 1996 - 1998 Senior Economist, National Economic Research Associates
- 1990 - 1996 Staff Economist, Federal Trade Commission

### PUBLICATIONS

“Chapter VII: Price Discrimination,” with Alicia Downey, *Antitrust Law and Economics of Product Distribution*, ABA Section of Antitrust Law, Second Edition, 2016.

“The Role of the Economic Expert in Damages Analyses,” with James Langenfeld, *The Expert Witnesses Newsletter*, ABA Section of Litigation, Fall 2014.

“Chapter VII: Barriers to Entry,” with Michael Salinger, *Market Power Handbook: Competition Law and Economic Foundations*, ABA Section of Antitrust Law, Second Edition, 2012.

“The Potential Role of Civil Antitrust Damage Analysis in Determining Financial Penalties in Criminal Antitrust Cases,” (with James Langenfeld), *George Mason Law Review*, Summer 2011, Vol. 18, No. 4, pp. 953-986.

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“Geographic Market Definition in Markets with Imports,” with Phil Nelson and Laura Malowane, *The Threshold*, the American Bar Association, Spring 2007.

“Four Economic Principles Underlying the FTC’s Position Against Reverse Payments in Patent Settlement Agreements,” *The Antitrust Source*, January 2006.

“Auto Insurers and the Airbag: Reply,” with Bruce Yandle, *Journal of Risk and Insurance*, September 1996, Volume 63, Number 3, pp. 524-525.

“The Air Bag/Seat Belt Controversy: How the States Voted,” with Bruce Yandle, *Eastern Economic Journal*, Spring 1996, Volume 22, Number 1, pp. 147-160.

“Auto Insurers and the Air Bag” with Bruce Yandle, *Journal of Risk and Insurance*, March 1994, Volume 61, Number 1, pp. 107-116.

“Insurers, Auto Makers, and the Political Debate Over Air Bags,” in *Economics Consequences of Liability Rules*, edited by Bruce Yandle and Roger Meiners, Quorum Books, 1991.

### EXPERT REPORTS AND TESTIMONY

February 22, 2017 – Declaration of Robert Kneuper, Ph.D., United States District Court for the Northern District of California, San Jose Division, In Re Google Adwords Litigation, Case No. 08-cv-3369-EJD.

November 7, 2016 – Declaration of Robert Kneuper, Ph.D., United States District Court for the Central District of California, Golden Boy Promotions v. Alan Haymon, Case No. 2:15-cv-03378.

October 21, 2016 – Deposition Testimony in United States District Court for the Central District of California, Golden Boy Promotions v. Alan Haymon, Case No. 2:15-cv-03378.

September 6, 2016 – Expert Report of Robert Kneuper, Ph.D., United States District Court for the Central District of California, Golden Boy Promotions v. Alan Haymon, Case No. 2:15-cv-03378.

May 11, 2016 – Trial Testimony in U.S. District Court for the Western District of Michigan, Southern Division, Encana Oil & Gas (USA) Inc., v. Zarembo Family Farms, Inc., Case No. 1:12-cv-00369-PLM.

May 19-21, 2015 – Trial Testimony in U.S. District Court for the Northern District of Illinois, Eastern Division, Hannah’s Boutique v. Barbara Ann Surdej, Roy Surdej and Jeffrey Surdej d/b/a Peaches Boutique, Case No. 13-cv-02564.

March 19, 2015 – Supplemental Declaration of Dr. Robert Kneuper, U.S. District Court for the Northern District of Illinois, Eastern Division, Hannah’s Boutique v. Barbara Ann Surdej, Roy Surdej and Jeffrey Surdej d/b/a Peaches Boutique, Case No. 13-cv-02564.

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December 3, 2014 – Deposition Testimony in U.S. District Court for the Northern District of Illinois, Eastern Division, Hannah’s Boutique v. Barbara Ann Surdej, Roy Surdej and Jeffrey Surdej d/b/a Peaches Boutique, Case No. 13-cv-02564.

November 3, 2014 – Expert Report of Dr. Robert Kneuper, U.S. District Court for the District of New Jersey, Orologio of Short Hills, Inc., and Orologio International Ltd., Inc. v. The Swatch Group (U.S.) Inc., Civil Action No. 11-6854 (SDW).

October 8, 2014 – Declaration of Dr. Robert Kneuper, U.S. District Court for the Northern District of Illinois, Eastern Division, Hannah’s Boutique v. Barbara Ann Surdej, Roy Surdej and Jeffrey Surdej d/b/a Peaches Boutique, Case No. 13-cv-02564.

August 20, 2014 – Deposition Testimony in U.S. District Court for the Western District of Michigan, Southern Division, Encana Oil & Gas (USA) Inc., v. Zaremba Family Farms, Inc., Case No. 1:12-cv-00369-PLM.

June 20, 2014 – Expert Report of Dr. Robert Kneuper, U.S. District Court for the Western District of Michigan, Southern Division, Encana Oil & Gas (USA) Inc., v. Zaremba Family Farms, Inc., Case No. 1:12-cv-00369-PLM.

November 23, 2011 – “Economic Analyses of the Competitive Impacts from the Proposed Acquisition of Princeton Insurance Company by Medical Protective Corporation,” with James Langenfeld and Michaelyn Corbett, Expert Report Filed with the New Jersey Department of Banking and Insurance in Support of Form A Application of Medical Protective Corporation and Berkshire Hathaway Inc.

October 4, 2011 – Deposition Testimony in U.S. District Court for the District of New Jersey, Mylan Inc. et al vs. Smithkline Beecham Corporation et al., Civil Action No. 10-4809

September 9, 2011 – Expert Report of Robert Kneuper, Ph.D., U.S. District Court for the District of New Jersey, Mylan Inc. et al vs. Smithkline Beecham Corporation et al., Civil Action No. 10-4809

January 30, 2009 - “Supplemental LECG Report Regarding Proposed Highmark/IBC Consolidation,” with James Langenfeld, Expert Report Assisting the Pennsylvania Insurance Department.

September 10, 2008 - “LECG Report to the Pennsylvania Insurance Department Regarding Proposed Highmark/IBC Consolidation,” with James Langenfeld, Expert Report Assisting the Pennsylvania Insurance Department.

November 18, 2007 – Presentation to the Nevada Gaming Commission Regarding Private Equity Gaming Acquisitions, with David Scheffman, Presentation Assisting the Nevada Gaming Commission.

November 15, 2007 – Report Analyzing the Economic Impact of Various Proposed Private Equity Acquisitions of Gaming Companies, with David Scheffman, Expert Report Assisting the Nevada Gaming Commission.

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### FELLOWSHIPS, HONORS AND AWARDS

Named in *Who's Who Legal Consulting Experts 2016*, Competition Economists, U.S., Law Business Research LTD.

Outstanding Team Effort Award, FTC, 1991 and 1993

Hugh Macauley Award (Best Masters Thesis in Economics)  
Clemson Univ., 1988

R. C. Edwards Fellow, Clemson Univ., 1988-89

H. W. Close Fellow, Clemson Univ., 1986-88

Weber H. Peterson Award, (Best Economics Student)  
George Mason Univ., 1985-86