

Dr. Gordon Rausser

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Principal Consulting Areas

1. **Pharmaceuticals and Biotechnology**
2. **Finance**
3. **Environment**

1. **Pharmaceuticals and Biotechnology**

Dr. Rausser's work in the pharmaceutical and biotechnology arena involves a broad array of human, veterinary, and agricultural products. His services include analyzing patent validity, commercial success, payments for generic entry, or damages associated with patent infringement, anti-competitive conduct, breach of contract, or other allegedly wrongful acts.

Following is a list of some pharmaceutical and bio-tech cases in which Dr. Rausser has been engaged:

Allergan, Inc. v. Sandoz, Inc. (2013); *Mylan Pharmaceuticals, Inc., et al. v. Warner Chilcott Public Limited Co., et al.* (2013); *Shire LLC, Supernus Pharmaceuticals, Inc., Amy F.T. Arnsten, Ph.D., Pasko Rakic, M.D. and Robert D. Hunt, M.D., v. Teva Pharmaceuticals USA, Inc., Teva Pharmaceutical Industries, LTD., Actavis Elizabeth LLC, Actavis, Inc., Anchen Pharmaceuticals, Inc., and Anchen Inc.* (2012); *Shire Development Inc., Shire Pharmaceutical Development Inc., Cosmo Technologies Limited, and Giuliani International Limited, v. Cadila Healthcare Limited (d/b/a Zydus Cadila) and Zydus Pharmaceuticals (USA) Inc.* (2012); *Novartis AG and Novartis Pharmaceuticals Corp., v. Mylan Pharmaceuticals, Inc. and Mylan Inc.*(2011); *Dey, L.P., and Dey, Inc., v. Teva Parenteral Medicines, Inc., Teva Pharmaceuticals USA, Inc., and Teva Pharmaceutical Industries, Ltd.* (2011); *Abbott Laboratories and Abbott Respiratory LLC, v. Lupin Limited and Lupin Pharmaceuticals, Inc.* (2010); *OSI Pharmaceuticals, Inc., et al. v. Teva Pharmaceuticals USA, Inc.*(2010); *OSI Pharmaceuticals, Inc., et al. v. Mylan Pharmaceuticals, Inc.* (2010); *Asahi Kasei Pharma Corporation v. Actelion, Ltd.* (2010), *Galderma Laboratories, L.P., Galderma S.A., and Dermalogix Partners, Inc., v. Paddock Laboratories, Inc.* (2010), *Smithkline Beecham Corporation D/B/A Glaxosmithkline plc* (2008-2010), *In Re: Gabapentin Patent*

Litigation (2010), *Cephalon Labs, Inc., et al. v. Watson Pharmaceuticals, Inc. et al.* (2010), *Duramed Pharmaceuticals, Inc. v. Paddock Laboratories, Inc.* (2010), *Dey, L.P. and Dey, Inc., v. Sepracor Inc.* (2009), *Santarus, Inc. and The Curators of the University of Missouri v. Par Pharmaceutical, Inc.* (2009), *Sun Pharmaceutical Industries, Ltd. v. Eli Lilly and Company* (2009), *Asahi Kasei Pharma Corporation v. Cotherix, Inc.* (2009), *Forest Laboratories v. Caraco* (2008); *Novo Nordisk v. Caraco* (2008); *James Weiss, Patricia Vogt, et al. v. AstraZeneca Pharmaceuticals L.P., et al.* (and related actions, 2008); *Purdue Pharma v. Par Pharmaceutical, Inc.* (2008), *Intervet v. Merial* (2008), *Abbott v. Sandoz* (2008); *Novartis Corporation v. Lupin, Ltd.* (2008); *Syngenta v. Monsanto* (2008, 2006); *Walgreen Co. et al. v. AstraZeneca Pharmaceuticals L.P., et al.* (2006-2007); *Andrx Pharmaceuticals v. Anchen Pharmaceuticals, Inc.* (2006-2007); *Shire Laboratories, Inc. v. Barr Laboratories, Inc.* (2005, 2006); *Ortho-McNeil Pharmaceutical, Inc. v. Kali Laboratories* (2004-2006); *Morton Grove Pharmaceuticals, Inc. v. Pharmaceutical Resources, Inc., Par Pharmaceuticals* (2005-2006); *Glaxo Group Ltd. v. Par Pharmaceuticals* (2005); *Pharmaceutical Resources and Par Pharmaceuticals v. Roxane Laboratories* (2005); *Unimed Pharmaceuticals v. Watson Pharmaceuticals and Paddock Laboratories* (2005); *Shire Laboratories, Inc. v. Impax Laboratories, Inc.* (2005); *Forest Laboratories, Inc. v. Ivax Pharmaceuticals, Inc.* (2005); *ETEX v. Medtronic* (2004); *Biomet, Inc., et al. v. Depuy Orthopaedics, Inc., et al.* (2003); *In re: Buspirone Antitrust Litigation* (2002); *In re Brand Name Prescription Drugs Antitrust Litigation* (2001); *In re Cardizem Antitrust Litigation* (2001); *In re Remeron Antitrust Litigation* (2001); and *Pioneer Hi-Bred International v. Monsanto Co.* (2001). In the *Branded Pharmaceutical* antitrust litigation, Dr. Rausser was engaged as the economic damage expert for all of the joint defendants, an engagement that stretched out over a decade.

2. Finance

For more than thirty years, Dr. Rausser has provided consulting services to public and private clients in the financial sector. His consulting work focuses primarily on complex litigation requiring analysis of economic and financial damages, class certification, predatory pricing and price fixing allegations, antitrust behavior, mergers and acquisitions, relevant market determination, patent validity and intellectual property infringement, and other fact-intensive statistical and econometric issues. In particular, he has served as the testifying expert on economic issues in a number of high profile cases, including: *In Re Brand Name Prescription Drugs*; *County of Orange v. Merrill-Lynch and Co., Inc.*; *In Re Sumitomo Copper*; and *In Re: Insurance Brokerage Antitrust Litigation*.

During his early career, Dr. Rausser focused his research on risk management, organized futures and options markets and the regulations of the Commodity Futures Trading Commission

("CFTC"). Dr. Rausser was engaged as an expert by a number of the organized exchanges to provide advice on risk analytics, portfolio analysis, and futures markets as an asset class, and he has also testified before the CFTC on the proposed introduction of new commodity futures contracts. He has been engaged by the American Enterprise Institute as a consultant on the reauthorization of the Commodity Exchange Act in the 1980s. Two of his national research awards pertain to analyses of futures and forward market behavior and performance. He has been, and continues to be, an active trader on organized futures and options markets, having served as a commodity trading advisor through much of the 1970s and early 1980s. In addition, he has extensive experience in the creation and execution of structured contracts outside of the regulated exchange environment, in what is referred to as the over-the-counter ("OTC") market. These structured contracts incorporate counter party risk and frequently involve combinations of options. His work involves an analysis of the combined effect of embedded options and the pricing of risk, quantifying the profitability of default.

3. Environment

In the field of environmental law and regulations, Dr. Rausser's academic research has emphasized multilateral bargaining and negotiation processes, collective choice and statistical decision theory, the design of legal and regulatory infrastructure supporting sound governance, modeling dynamic stochastic processes, bio-prospecting, and the design of innovative environmental and natural resource economic analytical frameworks. His research work has included grants from the National Science Foundation and EPA to study cost recovery mechanisms, financial assurances and bankruptcies associated with Superfund site cleanup. His published work also addresses the social costs associated with a banning of MTBE, and numerous other topics involving environmental remediation and natural resource and land value impacts. This research has earned Dr. Rausser the prestigious AAEA Publication of Enduring Quality Award for contribution to the field of environmental and natural resource economics.

In the environmental arena, Dr. Rausser has been retained as an expert on a wide array of issues including:

- Evaluation of financial assurances under CERCLA
- Allocation among responsible parties for remediation of superfund sites
- Quantification of contingent environmental liabilities
- Design of methodologies for monetizing environmental damages, including both use and non-use values
- Estimation of property damages from waste externalities
- Land-use consequences from endangered-species regulations

- Fraudulent conveyance of environmental liabilities
- Quantification of environmental damages from oil spills
- Groundwater contamination and resulting environmental damages

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