

# EXHIBIT 1

## Curriculum Vitae



**NED S. BARNES, CPA**  
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Mr. Barnes is a Managing Director with Berkeley Research Group in Washington, DC. He regularly serves as an expert on economic damages in the context of litigation, arbitration and other commercial dispute settings. His areas of specialization include matters involving intellectual property damages, commercial damages, international arbitration disputes, and valuation.

Mr. Barnes' professional career spans over 20 years during which time he has worked in public accounting and with various consulting firms. In addition to being a licensed CPA, Mr. Barnes is a Certified Fraud Examiner (CFE). He has authored expert reports, provided trial and deposition testimony, and been qualified as an expert witness in a number of litigation and arbitration matters involving the determination of economic damages.

### Professional Experience

2011 to date Berkeley Research Group; Managing Director  
2011 Veris Consulting; Managing Director  
2002-2011 LECG, LLC; Director  
1997-2002 Capital Accounting; Vice-President  
1991-1996 Friedman & Fuller, PC; Audit Manager

### Education

Bachelor of Science, Accounting, George Mason University, 1991

### Professional Certifications and Accreditations

Certified Public Accountant  
Certified Fraud Examiner



## **Intellectual Property Litigation and Consulting**

Mr. Barnes has significant experience analyzing economic damages issues involving intellectual property disputes, including those related to alleged patent infringement, trade secret misappropriation, copyright violations and trademark issues. Mr. Barnes has specific experience analyzing and calculating damages in various Lanham Act claims, including damages based lost profits, unjust enrichment and corrective advertising. He has also consulted with clients on issues related to the licensing and valuation of intellectual assets.

Mr. Barnes has been named as a testifying expert on numerous matters involving intellectual property disputes and he has been qualified as an expert witness on such issues in Federal District Court and in commercial arbitration proceedings. Mr. Barnes has also performed numerous valuations of intellectual assets, including individual patents and patent portfolios for both litigation and non-litigation purposes.

## **Commercial Litigation**

Mr. Barnes has extensive experience in analyzing financial, accounting, and economic issues in various commercial disputes. Matters in which he has been retained span a wide variety of industries including; computer software and hardware, alcoholic and non-alcoholic beverages, food and beverage distribution, industrial equipment manufacturing, automobile and heavy truck manufacturing and distribution, and petroleum marketing and distribution, among others.

Mr. Barnes' involvement in commercial litigation matters includes analyzing issues related to economic damages, financial statement analysis, business interruption claims, and valuation. Mr. Barnes has been named as a testifying expert, authored expert reports and provided trial and deposition testimony in a number of commercial litigation matters.

## **International Arbitration**

Mr. Barnes has been retained to analyze accounting, economic and financial issues arising in the context of various disputes before international arbitration panels and tribunals. He has provided expert testimony and submitted expert declarations summarizing his opinions on these matters.

## **Valuation**

Mr. Barnes has extensive experience performing valuations of both going concern businesses and intellectual assets. Mr. Barnes has authored reports and provided expert testimony on matters involving business or asset valuation issues. Mr. Barnes has also conducted valuations of going concern businesses and intellectual assets, such as patent portfolios, for non-litigation purposes.



## Testimony in Litigation (2011 to Present)

*Everyscape, Inc. v Adobe Systems Inc.* (U.S. District Court, District of Massachusetts, C.A. No. 10-cv-11597-RGS, January 2015: Trial; November 2013: Deposition)

*East Coast Sheet Metal Fabricating Corp., d/b/a EastCoast CAD/CAM v. Autodesk, Inc.* (U.S. District Court, District of New Hampshire, Civil No. 1:12-cv-517-JL, November 2014: Deposition)

*Daniel Lozano, et al. v. Beverly Hills Sports Council, Inc., et al.* (American Arbitration: Association, Case No. 72 196 Y 00374 12, November 2014: Hearing; September 2014: Deposition)

*Warsaw Orthopedic, Inc., et al. v. Nuvasive, Inc.* (U.S. District Court, Southern District of California, Case No. 3:12-cv-02738-CAB (MDD), October 2014: Deposition)

*Adrea, LLC v. Barnes & Noble, Inc., et al.* (U.S. District Court, Southern District of New York, Civil Action No. 13-cv-04137-JSR, October 2014: Trial; January 2014: Deposition)

*United Video Properties, Inc., and Index Systems, Inc., v. Haier Group Corp. and Haier America Trading, LLC* (U.S. District Court, District of Delaware, C.A. No. 11-1140-RGA, December 2013: Deposition)

*Aetna, Inc., v. Blue Cross Blue Shield of Michigan* (U.S. District Court, Eastern District of Michigan, Civil Action No. 2:11-CV-15346, September 2013: Deposition)

*Sand Dollar Distributing, LLC v. Nestle USA, Inc.* (American Arbitration Association, Case No. 14 467 00426 12, August 2013: Hearing)

*TransPerfect Global, Inc., et al. v. MotionPoint Corporation.* (U.S. District Court, Northern District of California, Oakland Division, Case No. CV 10-02590 CW, July 2013: Trial; January 2013: Deposition)

*Bayshore Motors, et al. v. Ford Motor Company.* (U.S. District Court, District of New Jersey, C.A. No.: 99-741, June 2012: Trial; January 2011: Deposition; May 2009: Deposition)

*Tarkus Imaging, Inc. v. Adobe Systems, Inc., et al.* (U.S. District Court, District of Delaware, C.A. No. 10-063-LPS, February 2012: Deposition)

*International College of IT and Management (Vietnam), v. Troy State University (U.S.A.).* (ICC, International Court of Arbitration, ICC Case No. 16 892/VRO, February 2012: Hearing)

*Gentex Corporation. v. BAE Systems.* (U.S. District Court, Middle District of Pennsylvania, C.A. No.: 07-CV-1269, May 2011: Deposition)

(January 2015)