

# SILVERMAN CONSULTING LLC

**Bruce Silverman** is one of America's most respected advertising and branding experts.

Prior to forming Silverman Consulting LLC in 2005, Bruce served as EVP/Executive Creative Director at three of America's largest advertising agencies (Ogilvy, Bozell and BBDO), as President of two of the nation's best independently-owned agencies (Asher/Gould and Wong Doody), and as President/CEO of the principal U.S. unit of the world's largest media planning and buying shop (Initiative Worldwide). A long-time member of the Board of Directors of the American Association of Advertising Agencies, he also served as Vice Chairman of the Western Region of the AAAA and Vice President of the Los Angeles Advertising Agency Association.



Bruce provides advice and counsel to companies both in the U.S. and abroad engaged in marketing consumer goods and services. In addition, he works with law firms as an expert witness on cases relating to false and misleading advertising, trademark infringement, consumer confusion, branding, publicity rights, advertising industry custom and practice and media. Bruce has testified numerous times in state and federal courts as well as before the Copyright Royalty Judges of the Library of Congress.

Bruce was the creative mind behind "Don't Leave Home Without It" for American Express, "Bullish on America" (Merrill Lynch), "Something Special in the Air" (American Airlines), "Not made in 'Nooo Yawk Ciddy" (Pace Picante), "The Shell Answer Man" and a dozen other award winning campaigns for such clients as IBM, Hershey's, Baskin-Robbins, Coldwell Banker, Sizzler, Suzuki, Pabst, Sanyo, Mattel, Greyhound and Post. He is particularly proud of the very successful tobacco-use prevention campaign he created and directed for the California Department of Health Services which became the prototype for virtually every anti-tobacco campaign in the world. At Initiative Media, he supervised more than \$10 billion in annual media planning and buying for more than 500 clients including Disney, Electronic Arts, Carl's Jr., Taco Bell, Albertson's, Acura, Bally's Health & Fitness, Six Flags, America Online, the United States Navy and Yahoo!

Bruce has appeared frequently on television and radio and has been interviewed by *The New York Times*, *The Wall Street Journal*, *The Washington Post*, *The New Yorker* and many other

SILVERMAN CONSULTING LLC  
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newspapers and magazines on subjects relating to advertising and media. He has taught advertising at Pepperdine University and UCLA Extension, and has guest lectured at the UCLA Anderson School of Management, UCLA Fielding School of Public Health, USC, California State University Northridge, California State University San Diego, California State University San Francisco, Rice University, the University of Houston, the University of Texas, the Thunderbird School of Management, NYU, Stanford and the University of Hawaii.

Bruce has also served as a board director and/or advisory board member for a number of media-related companies including Triton Media, 24/6, Inc., NFH, Inc., Adam, Inc., Telecentris, Inc., Big Moving Pictures, Inc., NTB Media, Inc., Bulzi Media, Inc. and Madison Avenue Media, Inc.

A graduate of Adelphi University in New York (where he has been honored as a “Distinguished Alumnus”), Bruce is a confirmed theater, music and arts junkie, voracious reader, sports fan and world traveler. He is also very active in community activities. He was a founding board member of the Los Angeles Children’s Museum and later served as Chairman of the Resource Development Committee of the Starbright Foundation. In addition, he served for six years as a member of the Dean’s Advisory Board of UCLA Extension, for three years as a member of the County of Los Angeles Public Library Strategic Plan Advisory Council and he has been an active member of The Television Academy (the Emmy’s organization) for a quarter-century. Bruce is married to Nancy Cole Silverman, a former radio and publishing executive who is the author of the novels *Beyond a Doubt*, *Shadow of Doubt*, *Without a Doubt*, *Ode to Kokopelli*, *The Centaur’s Promise* and *The Salvationist*.

# SILVERMAN CONSULTING LLC

## **BRUCE G. SILVERMAN** *CURRICULUM VITAE*

May 2005 – Present

### **SILVERMAN CONSULTING LLC (Los Angeles)** **Principal**

Advertising and branding consultant to advertisers and advertising agencies in the U.S., Europe and Asia engaged in marketing consumer goods and services. Consultant and expert witness for law firms throughout the U.S. on cases where false/misleading advertising, trademark infringement, advertising industry custom and practice, publicity rights and/or media are at issue.

January 2004 – April, 2005

### **WONG DOODY ADVERTISING (Los Angeles)** **President and Partner**

Privately-owned, award-winning advertising agency with offices in Los Angeles and Seattle. Clients included Alaska Airlines, Alpine Electronics, Autodesk, Clif Bar, Inc., Los Angeles Dodgers, MGM Home Entertainment, Sony Pictures, UCLA/Anderson School of Management.

April, 1997 – Dec., 2003

### **INITIATIVE PARTNERS (Los Angeles)** **President/CEO; Member, Initiative Worldwide Board of Directors**

Principal U.S. unit of world's largest (\$22BB+) advertising media planning and buying agency. Clients included Acura, Albertson's, Arco, Carl's Jr/Hardee's, Baskin-Robbins, Chevrolet, Cisco Systems, Intel, Walt Disney Company, E\*Trade, The Home Depot, Johnson & Johnson, Kaiser-Permanente, Six Flags, Taco Bell, U.S. Navy Recruiting Command, Unilever, plus more than 100 advertising agencies operating throughout the United States and Canada.

January 86 – March '97

**ASHER/GOULD ADVERTISING, INC. (Los Angeles)  
President, Chief Creative Officer, Chief Operating  
Officer and Partner**

Privately-owned, top 100 advertising agency with offices in Los Angeles and Las Vegas. Clients included American Savings Bank, Avery Dennison, Baskin-Robbins, ITT/Sheraton, The Men's Wearhouse, Pabst Brewing Company, Pizza Hut, MGM Resorts, Sanyo, Southern California Cable Marketing Council, Suzuki cars and trucks, State of California Department of Health Services, SunAmerica

January 84 – December '86

**BBDO/WEST, INC. (Los Angeles, San Francisco)  
Executive Vice President, General Manager, Chief  
Creative Officer and Director**

West Coast division of Top 10 global advertising agency. Accounts included Apple Computer International, Coldwell Banker, Hughes Supermarkets, Pepsi, PIP Printing, Sanyo/Fisher, Sebastiani Vineyards, Sizzler, Southern California Dodge Dealers, Union Bank

January 81 – December '83

**BOZELL & JACOBS, SOUTHWEST, INC. (Dallas)  
Executive Vice President, Chief Creative Officer**

Southwest division of Top 10 U.S. advertising agency. Accounts included American Airlines, Armour Foods, Avis, Greyhound, Mary Kay, Pace Foods, Quaker Oats, Southwestern Bell, Symantec, Zale Corporation.

August 67 – December '80

**OGILVY & MATHER, INC. (New York)  
Senior Vice President, Executive Creative Director,  
Member, O&M USA Council of Directors**

Top five global advertising agency. Executive Creative Director and General Manager, O&M Los Angeles (1977-80); Creative Director, O&M Houston (1974-77); Associate Creative Director, O&M London (1974), Associate Creative Director, O&M New York (1972-73).

Accounts included American Express, British Travel Association, Dove, French Tourism, Hershey Foods, IBM, Imperial Margarine, KLM, Korean Airlines, Panasonic, Post cereals, Puerto Rico Tourism, Mattel, Maxwell House, MTV, Mercedes Benz, Merrill Lynch, Nabisco, Nickelodeon, Shell, Smith Barney, Trailways, TWA, Universal Studios

**EDUCATION**

June 1966 BA, Adelphi University, Garden City, New York

**INDUSTRY**

Vice Chairman, Western Region – American Association of Advertising Agencies (industry trade association) (1995-2002)

National Board of Directors – American Association of Advertising Agencies (1995-2002)

Vice President – Los Angeles Advertising Agencies Association (1995-2002)

Member, Los Angeles Advertising Club (1978-1980; 1984-2005)

Vice President – Dallas Advertising Club (1981-1983)

Vice President – Houston Advertising Federation (1975-1977)

Member – The Television Academy

Director – Los Angeles Chapter, Forensic Expert Witness Association

**TEACHING POSITIONS**

Instructor: Pepperdine University, UCLA Extension

Guest Instructor: Arizona State University, California State University Northridge, California State University San Diego, California State University Los Angeles, California State University San Francisco, New York University, Rice University, Southern Methodist University, Stanford University, University of Arizona, University of California (Berkeley), UCLA Anderson School of Management, UCLA Fielding School of Public Health, University of Hawaii, University of Houston, University of Southern California, University of Texas, Thunderbird School of Management; Dean's Board of Advisors, UCLA Extension

**OTHER**

Author: *How to Create Tobacco-Use Prevention Advertising That Works*; University of Florida Press, 1996

Author: *How to Complain for Fun and Profit*; Schulzke Publishing, 2008

Media Appearances: Frequent “advertising/marketing guest authority” on Bloomberg News, NBC News, ABC 20/20; cited in articles in *Wall Street Journal*, *New York*

*Times, Los Angeles Times, Washington Post, USA Today, Advertising Age, AdWeek*

**AWARDS:**

Multiple Clios, One Show “Pencils,” multiple Beldings, two Gold Lions at Cannes International Advertising Festival; three “Effie” awards, two David Ogilvy Awards.

NOT RETAINED

## CLIENTS SERVED (BY CATEGORY)

(Partial List; 1968-2017)

### Apparel/Fashion

C& R Clothiers (Asher/Gould)  
Cherokee Apparel (Asher/Gould)  
The Men's Wearhouse (Asher/Gould)  
Harris & Frank Clothiers (Asher/Gould)  
Kennedy's Clothiers (Asher/Gould)  
Mervyn's (Wong Doody)  
Nordstrom (Wong Doody)

### Automotive

Acura (Initiative)  
Chevrolet (Initiative)  
Dodge and Dodge Dealer Associations (BBDO)  
Kia (Initiative)  
Jaguar (Bozell)  
Mercedes-Benz (Ogilvy)  
Peugeot (Ogilvy)  
Suzuki (Asher/Gould)

### Beverages

Ballantine Ale (Asher/Gould)  
Brew 102 Beer (Asher/Gould)  
Country Club Malt Liquor (Asher/Gould)  
Country Time Lemonade (Ogilvy)  
Falstaff Beer (Ogilvy; Asher/Gould)  
Hamm's Beer (Asher/Gould)  
Mountain Dew (Ogilvy)  
M. LaMont Vineyards (Ogilvy)  
Old Crow Bourbon Whisky (Ogilvy)  
Olde English 800 Malt Liquor (Asher/Gould)  
Olympia Beer (Asher/Gould)  
Pabst Blue Ribbon Beer (Asher/Gould)  
Pearl Beer (Asher/Gould)  
Pepsi Light (Ogilvy)  
Private Stock Malt Liquor by Haffenreffer (Asher/Gould)  
Schaeffer Beer (Ogilvy)  
Sebastiani Vineyards (BBDO)  
Stolichnaya Vodka (Ogilvy)

	Van Gogh Vodka (Wong Doody)
	Vitel Mineral Water (BBDO)
<b>Corporate</b>	Autodesk (Wong Doody)
	Avery Dennison (Asher/Gould)
	Cessna Citation (Ogilvy)
	Church of Jesus Christ of Latter Day Saints (Initiative)
	City Investing (Ogilvy)
	Cooper Industries (Ogilvy)
	Dresser Industries (Ogilvy)
	IBM (Ogilvy)
	International Nickel (Ogilvy)
	International Paper (Ogilvy)
	Owens-Corning Fiberglas (Ogilvy)
	Rail LA (Silverman LLC)
	Shell Oil Company (Ogilvy)
	Worldwide Church of God (BBDO)
<b>Consumer Electronics</b>	Alpine Electronics (Wong Doody)
	Fisher (BBDO)
	Panasonic (Ogilvy)
	Sanyo (Asher/Gould)
<b>Direct Response</b>	American Express cards (Ogilvy)
	Associates Financial (Bozell)
	Bally's Health and Fitness (Initiative)
	Bryman College (Asher/Gould)
	HBO (Asher/Gould)
	Intercept Program (Asher/Gould)
	Jenny Craig (Initiative)
	Kaiser/Permanente (Initiative)
	Law Offices of Larry H. Parker (Asher/Gould; Silverman LLC)
	Mobile Dynamics (Wong Doody)
	National Education Centers (Asher/Gould)
	Nationwide PharmAssist (Silverman LLC)
	Paintrol Clinics (Asher/Gould)
	Southern California Cable Marketing Council (Asher/Gould)
	UCLA Anderson School of Management (Wong Doody)



**Education**

Bryman College (Asher/Gould)  
Geisinger Commonwealth School of Medicine (Silverman LLC)  
Mobile Dynamics (Wong Doody)  
National Education Centers (Asher/Gould)  
National University (Initiative)  
UCLA Anderson School of Management (Wong Doody)

**Entertainment**

Buena Vista Pictures (Initiative)  
Center Theatre Group/Ahmanson Theatre; Mark Taper Forum (Initiative)  
Circus World (Ogilvy)  
Disney Home Video (Initiative)  
Grand Ol' Opry (Ogilvy)  
HBO (BBDO and Asher/Gould)  
Houston Grand Opera (Ogilvy)  
Los Angeles Dodgers (Wong Doody)  
MGM Home Video (Wong Doody)  
MTV (Ogilvy)  
Nickelodeon (Ogilvy)  
Opryland USA (Ogilvy)  
Ringling Brothers Barnum & Bailey Circus (Ogilvy)  
Six Flags (Ogilvy)  
Sony Pictures Digital Entertainment (Wong Doody)  
Southern California Cable Marketing Council (Asher/Gould)  
The Walt Disney Company (Initiative)  
Touchstone Pictures (Initiative)  
UCLA Athletics (Silverman LLC)  
UPN (United Paramount Network) (Initiative)  
Walt Disney Pictures (Initiative)  
Warner Brothers (Initiative)  
World Poker Tour (Wong Doody)

**Financial Services**

Allied Bank of Texas (Bozell)  
American Express Credit Cards (Ogilvy)  
American Express International Bank (Ogilvy)  
American Savings Bank (Asher/Gould)  
Associates Financial (Bozell)  
Bowery Savings Bank (Ogilvy)

E\*Trade (Initiative)  
Gibraltar Savings & Loan of California (Ogilvy)  
Gibraltar Savings & Loan of Texas (Ogilvy)  
Merrill Lynch (Ogilvy)  
J. P. Morgan & Co. (Ogilvy)  
Nationwide Insurance (Ogilvy)  
Plastic Cash International (Wong Doody)  
Republic Bank of Texas (Bozell)  
Smith Barney (Ogilvy)  
SunAmerica (Asher/Gould)  
Union Bank of California (BBDO)  
U.S. Trust (Ogilvy)  
Valley National Bank – AZ (Bozell)  
Wei Dong Investment Holdings Ltd. (Silverman LLC)

**Gaming**

Augustine Casino (Wong Doody)  
Bellagio Hotel & Casino (Initiative)  
California Lottery (Initiative)  
Desert Inn Hotel & Casino (Asher/Gould)  
Las Vegas Convention and Visitor's Authority (Initiative)  
MGM Grand Hotel & Casino (Asher/Gould)  
Mirage Hotel & Casino (Initiative)  
New York New York Hotel & Casino (Asher/Gould)  
Treasure Island Hotel & Casino (Initiative)

**Grocery Products (includes. Packaged Goods)**

Armour Foods (Bozell)  
Balance Bar (Initiative)  
Beijing Zhong Gao International HR Co. Ltd. (Silverman LLC)  
California Avocados (Asher/Gould)  
California Eggs (Asher/Gould)  
Clif Bar (Wong Doody)  
Conagra Foods (Bozell)  
Gaines (Ogilvy)  
Dove Liquid (Ogilvy)  
Heath Bars (Bozell)  
Hershey (Ogilvy)  
Imperial Margarine (Ogilvy)  
Luna Bar (Wong Doody)

Nabisco Double Stuf (Ogilvy)  
Nabisco Crazy Glazy (Ogilvy)  
Nabisco Saltine Crackers (Ogilvy)  
Nabisco Sooper Kookies (Ogilvy)  
Pace Picante Sauce (Bozell)  
Pepperidge Farm (Ogilvy)  
Post Alpha-Bits (Ogilvy)  
Post Cocoa Pebbles (Ogilvy)  
Post Fruity Pebbles (Ogilvy)  
Purina dog chows (Ogilvy)  
Post Super Sugar Crisp (Ogilvy)  
Ralston-Purina cereals (Ogilvy)  
Reese's Peanut Butter Cups (Ogilvy)  
Quaker Oats (Bozell)  
Swanson Frozen Dinners (Ogilvy)

**Health & Beauty Aids**

Avon Cosmetics (Ogilvy)  
Contac (Ogilvy)  
Dove Beauty Bar (Ogilvy)  
Kinerase (Wong Doody)  
Mary Kay Cosmetics (Bozell)  
Mead-Johnson Enfamil (Ogilvy)  
Mead-Johnson Metrecal (Ogilvy)  
Pears Soap (Ogilvy)  
Rembrandt Whitening Toothpaste (Wong Doody)  
Twice as Nice shampoo (Ogilvy)

**Healthcare**

Century Aesthetics (Silverman LLC)  
Century City Doctors Hospital (Silverman LLC)  
Doctor Campbell Credit Dentists (Asher/Gould)  
Geisinger Health System (Silverman LLC)  
Intercept Program (Asher/Gould)  
Kaiser Permanente (Initiative)  
Modern Diagnostics (Silverman LLC)  
Nationwide PharmAssist (Silverman LLC)  
Paintrol Clinics (Asher/Gould)  
Private Health Management (Silverman LLC)  
Salus Surgical Centers (Silverman LLC)

	UCLA Health System (Silverman LLC)
	United Health Plan (Asher/Gould)
<b>Hi-Tech</b>	Apple Computers/International (BBDO)
	Autodesk (Wong Doody)
	Cadforce (Silverman LLC)
	Cisco (Initiative)
	Compaq (Ogilvy)
	Gateway (Initiative)
	IBM (Ogilvy)
	Intel (Initiative)
	Symantec (Bozell)
<b>Industrial</b>	Cessna (Ogilvy; Bozell)
	International Nickel (Ogilvy)
	International Paper (Ogilvy)
	Dresser Industries (Ogilvy)
	Falcon Waterfree (Silverman LLC)
	Owens-Corning Fiberglas (Ogilvy)
	Shell Farm Chemicals (Ogilvy)
	Shell Industrial Chemicals (Ogilvy)
	Shell Plastics and Resins (Ogilvy)
	Shell Synthetic Rubber (Ogilvy)
<b>Internet</b>	America On-Line (Initiative)
	E-Trade On-Line (Initiative)
	Event 411.com (Initiative)
	Petstore.com (Initiative)
	PlasticCash.com (Wong Doody)
	Yahoo! (Initiative)
<b>Marketing Communications Agencies</b>	Ayzenberg (Silverman LLC)
	Beijing Reach-All Investment Company Ltd. (Silverman LLC)
	BH Direct (Silverman LLC)
	Bright Strategic Design (Silverman LLC)
	Bullpen Integrated Marketing (Silverman LLC)
	Eclipse Studio, Beijing (Silverman LLC)
	Glyphix (Silverman LLC)
	Horizon Media (Silverman LLC)

	M Creative Group (Silverman LLC)
	Nice Advertising (Silverman LLC)
	Radarworks (Silverman LLC)
	Rogers & Associates (Silverman LLC)
	Schiller LLC (Silverman LLC)
	U.S. International Media (Silverman LLC)
<b>Media/Publishing</b>	Frontiers Media LLC (Silverman LLC)
	HBO (BBDO and Asher/Gould)
	KCAL 9 Television (Initiative)
	Sirius XM (Silverman LLC)
	Southern California Cable Marketing Council (Asher/Gould)
	Triton Media (Silverman LLC)
	UPN (United Paramount Network) (Initiative)
<b>Miscellaneous Products</b>	Paragon Luggage (Wong Doody)
	Steuben Glass (Ogilvy)
	Zippo (Ogilvy)
<b>Office Products</b>	Avery Dennison (Asher/Gould)
	Intuit – QuickBooks (Wong Doody)
<b>Petroleum Products</b>	Arco (Initiative)
	Shell Fire & Ice Motor Oil (Ogilvy)
	Shell Gasoline (Ogilvy)
<b>Professional Services</b>	CFO911 (Silverman LLC)
	Law Offices of Larry H. Parker (Asher/Gould; Silverman LLC)
<b>Real Estate</b>	Coldwell Banker (BBDO)
	Esprit (Silverman LLC)
	Move.com (Silverman LLC)
	Pacifica Ventures (Silverman LLC)
	Relocation.com (Silverman LLC)
	Waterwood (Ogilvy)
	The Woodlands (Ogilvy)
<b>Restaurants</b>	Acapulco (Asher/Gould)
	Baskin-Robbins (Ogilvy; Asher/Gould)
	Bennigan's (Bozell)
	Burger Chef (Ogilvy)

Carl's Jr. (Initiative)  
Der Weinerschnitzel (Initiative)  
Godfather's Pizza (Bozell)  
Hardee's (Initiative)  
KFC (Initiative)  
Packard's Grill (Asher/Gould)  
Pioneer Chicken (Asher/Gould)  
Pizza Hut (Asher/Gould)  
Sizzler (BBDO)  
Steak & Ale (Bozell)  
Taco Bell (Initiative)  
Togo's (Initiative)  
Tom Sawyer's Old Fashioned Fried Chicken (Ogilvy)

**Retail**

Aaron Brothers Art Marts (Asher/Gould)  
Albertson's Supermarkets (Initiative)  
Arco (Initiative)  
Bailey Banks & Biddle Jewelers (Bozell)  
Big Lots (Initiative)  
C&R Clothiers (Asher/Gould)  
Checker Auto Parts (Bozell)  
Circle K (Initiative)  
Factory2You Stores (Asher/Gould)  
Family Bargain Center Stores (Asher/Gould)  
Harris & Frank Clothiers (Asher/Gould)  
Hughes Supermarkets (BBDO)  
Kennedy's Clothiers (Asher/Gould)  
Men's Wearhouse (Asher/Gould)  
Mervyn's (Wong Doody)  
Nordstrom (Wong Doody)  
Puppy Palace (Ogilvy)  
PIP Printers (BBDO)  
Ralphs Supermarkets (Initiative)  
Safeway Supermarkets (Initiative)  
Sears (Ogilvy)  
Sit 'n Sleep (Silverman LLC)  
Stater Brothers Supermarkets (Initiative)

	The Home Depot (Initiative)
	Tesco (Silverman LLC)
	Vons Supermarkets (Initiative)
	Wherehouse Records & Tapes (Asher/Gould)
	Zale Jewelers (Bozell)
<b>Social Marketing</b>	California Dept. of Boating and Waterways (Boating Safety) (Initiative)
	California Department of Health Services – BabyCal (Asher/Gould)
	California Department of Health Services – First5 (Asher/Gould)
	California Department of Health Services – HIV Prevention (Asher/Gould)
	California Department of Health Services – Tobacco-Use Prevention (Asher/Gould)
	Oregon Health Department – Tobacco-Use Prevention (Asher/Gould)
	United States Department of Commerce, Census 2000 (Initiative)
	United States Government; Centers for Disease Control – Tobacco-Use Prevention (Initiative)
	White House office of National Drug Control Policy – Drug-use Prevention (Initiative)
<b>Telecommunications</b>	Nextel (Initiative)
	Telcentris (Silverman LLC)
	Southwestern Bell (Bozell)
	VoxOx (Silverman LLC)
<b>Tobacco</b>	Tijuana Smalls (Ogilvy)
<b>Tires/Batteries/Accessories</b>	Arco (Initiative)
	Goodyear (Ogilvy)
	Shell (Ogilvy)
<b>Toys/Games</b>	Electronic Arts (Initiative)
	Mattel Electronics (Ogilvy)
	Mattel Toys and Games (Ogilvy)
<b>Travel/Tourism</b>	Alaska Airlines (Wong Doody)
	Alaska Tourism (Initiative)
	ALM Royal Dutch Airlines (Ogilvy)
	American Airlines (Bozell; Initiative)
	American Express Travel Service (Ogilvy)
	Avis Rent-a-Car (Bozell)

Bellagio Hotel & Casino  
British Tourist Authority (Ogilvy)  
Cunard Lines (Ogilvy)  
Desert Inn Hotel & Casino (Asher/Gould)  
Disney Cruise Lines  
Disneyland and Walt Disney World  
French Government Tourist Office (Ogilvy)  
Greyhound Lines (Bozell)  
Hyatt Regency Maui (Ogilvy)  
Hyatt Regency Waikiki (Ogilvy)  
KLM Royal Dutch Airlines (Ogilvy)  
Korean Airlines (Ogilvy)  
Las Vegas Convention & Visitors Bureau (Initiative)  
Loreto Bay (Wong Doody)  
Marriott (Ogilvy)  
MGM Grand Hotel & Casino (Asher/Gould)  
Mirage Hotel & Casino (Initiative)  
New York New York Hotel & Casino (Asher/Gould)  
Opryland USA (Ogilvy)  
Six Flags (Ogilvy)  
Trailways Bus Lines (Ogilvy)  
Treasure Island Hotel & Casino  
TWA (Ogilvy)  
United States Travel Authority (Ogilvy)  
Universal Studios Hollywood (Ogilvy)  
Yosemite National Park and the Curry Company (Ogilvy)

**Utilities**

Houston Lighting & Power (Ogilvy)  
Nextel (Initiative)  
Salt River Project (Bozell)  
Southwestern Bell (Bozell)



**BRUCE G. SILVERMAN**  
**EXPERT WITNESS EXPERIENCE**

1. I have been retained as an Expert Witness 75 times since the year 2000. (I have consulted on a number of other branding/trademark/marketing/advertising/media-related cases as well.)
2. I have been deposed as an Expert 39 times.
3. I have been qualified and have testified as an Expert in court and/or at arbitration hearings 17 times.
  - United States District Court, Los Angeles 2016
  - United States District Court, Tampa, FL 2016
  - Circuit Court of Greene County, Missouri 2015
  - Arbitration Hearing, JAMS, Los Angeles 2015
  - Arbitration Hearing, JAMS, City of Orange, CA 2015
  - Arbitration Hearing, AAA, Los Angeles 2013
  - Arbitration Hearing, AAA, Bakersfield, CA 2012
  - United States District Court, Portland, OR 2012
  - Superior Court for the State of California, Los Angeles 2011
  - Arbitration Hearing, JAMS, Santa Monica, CA 2011
  - Arbitration Hearing, Los Angeles, 2009
  - Superior Court for the State of California, Santa Ana, CA 2009
  - Superior Court for the State of California, Norwalk, CA 2008
  - Copyright Royalty Judges of the Library of Congress, Washington, DC 2007
  - United States District Court, Los Angeles 2006
  - Superior Court for the State of California, Los Angeles 2003
  - Superior Court for the State of California, San Diego 2002
4. Approximately 33 percent of my professional time is spent as an “Expert Witness.”
5. Approximately 65 percent of my work has been for the plaintiff; 35 percent for the defendant.

**DEPOSITION, ARBITRATION AND/OR TRIAL TESTIMONY**

2013-2017

*XIOMARA MARTINEZ ARROYO et al vs. THE NEMOURS FOUNDATION d/b/a NEMOURS CHILDREN'S HOSPITAL, ORLANDO*

Circuit Court of the Ninth Judicial Circuit in and for Orange County, Florida  
Case No: 2015-CA-004791-O  
Deposed February 23, 2017

*AERO RUBBER COMPANY, INC. vs. UNITED STATES*

In The Court of International Trade  
Court No. 15-00174  
Deposed 8/24/2016

*KENNETH HOBBS, et. al. v. BROTHER INTERNATIONAL CORPORATION*

United States District Court, Central District of California  
Case No. 2:15-cv-01866-PSG-VBK  
Deposed 8/10/2016

*CHRISTOPHER LEWERT et. al. v. BOIRON, INC. et. al.*

United States District Court, Central District of California  
Case No. 2:11-cv-10803-SVW-SH  
Deposed 11/19/2015; Testified 6/10/2016, 6/13/2016

*ONE HOUR AIR CONDITIONING FRANCHISING, L.L.C. v. DALLAS UNIQUE COMFORT, LTD.*

United States District Court, Middle District of Florida, Tampa  
Case No. 8:13-cv-3278  
Deposed 6/18/2015; Testified 11/2/2015

*MERIDIAN CREATIVE ALLIANCE, LLC v. O'REILLY AUTOMOTIVE, INC.*

In the Circuit Court of Greene County, Missouri  
Case No. 0931-CV08770  
Deposed 4/28/2015; Testified 6/11/2015

*INFORM VENTURES LLC v. TOYOTA MOTOR SALES U.S.A., INC.,*

Judicial Arbitration and Mediation Services (JAMS)  
Arbitration No. 1220048952  
Deposed 5/8/2015; Testified 5/20/2015

*J.R. MATS, INC. v. INTERNETSHOPSINC.COM d/b/a/ D.W. QUAIL GOLF*

United States District Court for the Eastern District of Pennsylvania  
Case No.: 2:14-cv-03427-TJS  
Deposed 4/1/2015

SCOTT EHREDT v. MEDIEVAL TIMES et. al.  
Judicial Arbitration and Mediation Services (JAMS)  
Arbitration No. 1220047549  
Deposed 2/27/2015; Testified 3/10/2015

GLENNON MARRERO v. MICHAEL RAY NGUYEN-STEVENSON; UNIVERSAL  
MUSIC GROUP, INC.; TILLY'S, INC.; SHIEKH SHOES; AND DOE CORPORATION  
United States District Court, Central District of California, Western Division  
Case No. 13-Cv-09291-Cbm-Pjw  
Deposed 11/7/2014

POQUITO MAS LICENSING CORPORATION v. TACO BELL CORP  
United States District Court, Central District of California  
Case No. 8:13-Cv-01933-Doc-Jpr  
Deposed 10/16/2014

PRIME MEDIA GROUP LLC v. ACER AMERICA CORPORATION  
United States District Court  
Northern District of California, San Jose Division  
Case No. 5:12-cv-05020-EJD  
Deposed 9/11/2014

BASIC RESEARCH, LLC v. JASPER PRODUCTS, LLC  
In the Third Judicial District Court in and for Salt Lake County, State of Utah  
Case No. 110903662  
Deposed 7/16/2014

ZENON KESIK v. NATIONAL TV SPOTS, INC.  
The Arbitration Tribunals of the American Arbitration Association  
AAA No. 72 147770 12 S1M  
Testified 11/25/2013

YU HSIANG M. ALEXANDER and CAROLA. WETTERLING-FOOS v. L'OREAL U.S.A.  
INC.  
Superior Court of the State of California, County of Los Angeles  
Case No: BC 431491  
Deposed 10/21/2013

IN RE: POM WONDERFUL LLC MARKETING AND SALES PRACTICES LITIGATION  
(Retained by Plaintiffs)  
United States District Court, Central District of California  
Master File No. 2:10-ml 2199-DDP (RZx) [MDL No. 2199]  
Deposed 5/29/2012 and 8/23/2013

**EXPERT WITNESS EXPERIENCE**

(\*\* Indicates Active Case)

<b>RETAINED IN 2017</b>	<b>RETAINED BY</b>	<b>ISSUES (S)</b>	<b>ACTIVITIES</b>
<p><b>**WD AT THE CANYON, LLC, et al vs. SCUTARI &amp; CIESLAK, INC, INC.</b> Superior Court of the State of Arizona in and for the County of Maricopa Case No. CVB2015-094807</p>	<p>Defendant  Counsel: Pettit Kohn Ingrassia &amp; Lutz San Diego Cameron Flynn</p>	<p>Public Relations industry custom and practice</p>	<p>Submitted Expert Report (5/13/2017)</p>
<p><b>SAKURA FINETEK U.S.A., INC. vs. SCI GEN, INC.</b> The United States District Court, Central District of California, Western Division Case No: 2:16-cv-00881 FMO (SSx)</p>	<p>Defendant  Counsel: Fredrickson, Mazeika &amp; Grant Los Angeles Timothy J. Grant</p>	<p>Trade dress; Trademark infringement; False advertising</p>	<p>Submitted Expert Report (4/27/2017)</p>
<p><b>IN RE: RDIO, INC., Debtor</b> United States Bankruptcy Court, San Francisco Division Case No. 15-3140</p>	<p>Creditor (Roku, Inc.)  Counsel: Barnes &amp; Thornburg Los Angeles Paul J. Laurin</p>	<p>Advertising industry custom and practice; value of media</p>	<p>Submitted Expert Report (4/7/2017)</p>
<p><b>NU SCIENCE CORPORATION Opposer, vs. YUYAO DEUTREL CHEMICAL SCIENCE AND TECHNOLOGY CO, LTD, dba EVSFOOD GROUP, LLC Applicant</b> In the United States Patent and Trademark Office Before the Trademark Trial and Appeal Board Re: Trademark Applications No. 86,639,958 and 86,650,204</p>	<p>Opposer  Counsel: Jacobson, Russell, Saltz, Nassim &amp; De La Toro Los Angeles Sunny S. Nassim</p>	<p>Trademark infringement</p>	<p>Submitted Expert Report (3/26/2017)</p>
<b>RETAINED IN 2016</b>	<b>RETAINED BY:</b>	<b>ISSUE(S)</b>	<b>ACTIVITIES</b>
<p><b>**XIOMARA MARTINEZ ARROYO et al vs. THE NEMOURS FOUNDATION d/b/a NEMOURS CHILDREN'S HOSPITAL, ORLANDO</b> Circuit Court of the Ninth Judicial Circuit in and for Orange County, Florida Case No: 2015-CA-004791-O</p>	<p>Defendant  Counsel: Mateer &amp; Harbert Orlando, FL Francis E. Pierce III</p>	<p>False and misleading advertising</p>	<p>Deposed (2/23/2017)</p>

<b>PHELAN HOLDINGS INC. (DBA Pinchers Crab Shack) v. RARE HOSPITALITY MANAGEMENT, INC. (Longhorn Steakhouses)</b> United States District Court, Middle District of Florida, Tampa Division Case No. 8:15-CV-02294-JSM-TBM	Plaintiff  Counsel: Wagner Mclaughlin Tampa, FL Alan Wagner	Trademark infringement	Submitted Expert Report (9/24/2016) Deposed (12/14/2016)
<b>**AMERICAN CRUISE LINES v. HMS AMERICAN QUEEN STEAMBOAT COMPANY, et. al.</b> The United States District Court for the District of Delaware Civil Action No. 13-324-rga	Plaintiff  Counsel: Gorman & Williams Baltimore, MD Francis Gorman	Trademark infringement	Submitted Expert Report (8/4/2016) Deposed (10/12/2016)
<b>KENNETH HOBBS, et. al. v. BROTHER INTERNATIONAL CORPORATION, et. al.</b> United States District Court, Central District Of California, Western Division Case No. 2:15-cv-01866-PSG-VBK	Plaintiff  Counsel: Felahy Trial Lawyers Long Beach, CA Alan Felahy And Yash Law Group Brea, CA Yashdeep Singh	False and misleading advertising	Submitted Expert Declaration (6/14/2016) Deposed (8/10/2016)
<b>**AERO RUBBER COMPANY, INC. v. UNITED STATES</b> In The Court of International Trade Court No. 15-00174	Plaintiff  Counsel: William D. Outman, II, Esq. Silver Spring, MD	Promotional products as media vehicles	Submitted Expert Report (4/25/2016) Deposed (8/23/2016)
<b>RETAINED IN 2015</b>	<b>RETAINED BY:</b>	<b>ISSUE(S)</b>	<b>ACTIVITIES</b>
<b>REESE WITHERSPOON v. MARKETING ADVANTAGES INTERNATIONAL, INC., et al</b> Superior Court of the State of California, County of Los Angeles, West District Case No. SC120883	Defendant  Counsel: Leopold, Petrich & Smith Los Angeles Daniel M. Mayeda	Publicity rights	Submitted Expert Report (12/29/2015)
<b>JOHN MARTIN KEARNEY, et. al. v. EQUILON ENTERPRISES, LLC, dba SHELL OIL PRODUCTS US</b> United States District Court District of Oregon, Portland Division Case No. 3:14-cv-00254-HZ	Defendant  Counsel: Greensfelder, Hemker & Gale St. Louis Daniel R. Garner	False and misleading advertising	Submitted Expert Report (12/30/2015)

<p><b>Q PUBLISHING GROUP, LTD. v. OUTFRONT MEDIA INC.</b>  In The United States District Court for the District of Colorado  Civil Action No. 15-cv-00311-JLK</p>	<p>Defendant   Counsel:  Kilpatrick Townsend &amp; Stockton  Denver  Brian O'Donnell</p>	<p>Trademark infringement</p>	<p>Submitted Expert Report (7/30/2015)</p>
<p><b>FAR NIENIE WINE ESTATES, LLC; FAR NIENIE WINERY, INC.; NICKEL &amp; NICKEL VINEYARDS, LLC; FN CELLARS, LLC; FN LAND, LLC v. JEREMY J. NICKEL; AND THE VINEYARD HOUSE, LLC,</b>  JAMS, San Francisco  Ref. No. 1100080365</p>	<p>Claimants   Counsel:  Arnold &amp; Porter  San Francisco  Jeremy Kamras</p>	<p>Trademark infringement</p>	<p>Submitted Expert Report (7/20/2015)  Testified (8/11/2015)</p>
<p><b>**VIP PRODUCTS, LLC, v. JACK DANIEL'S PROPERTIES, INC.; JACK DANIEL'S PROPERTIES, INC., COUNTERCLAIMANT v. VIP PRODUCTS, LLC., COUNTERDEFENDANT</b>  United States District Court, District of Arizona  Case No. 2:14-cv-02057-DGC</p>	<p>Plaintiff/Counter-defendant   Counsel:  Dickinson Wright PLLC  Phoenix  David Bray</p>	<p>Trademark dilution by tarnishment</p>	<p>Submitted Expert Report (7/7/2015)  Deposed (8/12/2015)</p>
<p><b>INFORM VENTURES LLC v. TOYOTA MOTOR SALES U.S.A., INC.</b>  JAMS, Los Angeles  Arbitration No. 1220048952</p>	<p>Claimant   Counsel:  Carlsmith Ball LLP  Los Angeles  Justin Goldstein</p>	<p>Advertising industry custom and practice re compensation</p>	<p>Deposed (5/8/2015)  Testified (5/20/2015)</p>
<p><b>IN RE: FIRST AMERICAN HOME BUYERS PROTECTION CORPORATION CLASS ACTION LITIGATION</b>  United States District Court, Southern District of California  Lead Case No. 13-cv-01585 BAS (JLB)</p>	<p>Plaintiff   Counsel:  Cotchett Pitre &amp; McCarthy  San Francisco  Anne Marie Murphy</p>	<p>False and misleading advertising</p>	<p>Submitted Expert Report (3/25/2015)</p>
<p><b>J.R. MATS, INC. v. INTERNETHOPSINC.COM d/b/a/ D.W. QUAIL GOLF</b>  United States District Court for the Eastern District of Pennsylvania  Case No.: 2:14-cv-03427-TJS.</p>	<p>Defendant   Counsel:  Petock &amp; Petock,  Valley Forge, PA  Michael Petock</p>	<p>Trademark infringement</p>	<p>Submitted Expert Report (3/5/2015)  Deposed (4/1/2015)</p>
<p><b>RUDOLPH BONETATI v. MARIO MORAN</b>  United States District Court  Central District of California, Western Division  Case No.: 2:14-cv-04287.</p>	<p>Plaintiff   Counsel:  Bonetati, Kincaid &amp; Soble  Santa Ana, CA  Matthew Arigo</p>	<p>Trademark infringement</p>	<p>Submitted Expert Report (2/25/2015)</p>

<b>MICHAEL D. FRIEDMAN, et. al. v. OLD REPUBLIC HOME PROTECTION COMPANY, INC.</b> United States District Court, Central District of California Case No. EDCV 12-1833 AG (OPx).	Plaintiff  Counsel: Cotchett Pitre & McCarthy San Francisco Anne Marie Murphy	False and misleading advertising	Submitted Expert Report (2/11/2015)
<b>SCOTT EHREDT v. MEDIEVAL TIMES et. al.</b> JAMS, Irvine CA Case No. 1220047549. Originally filed in Superior Court of California, County of Los Angeles	Claimant  Counsel: The Hamideh Firm Los Angeles Bassil Hamideh	Publicity rights	Submitted Expert Report (2/9/2015) Deposed 2/27/2015 Testified (3/10/2015)

<b>RETAINED IN 2014</b>	<b>RETAINED BY:</b>	<b>ISSUE(S):</b>	<b>ACTIVITIES:</b>
<b>ONE HOUR AIR CONDITIONING FRANCHISING LLC v. DALLAS UNIQUE INDOOR COMFORT, LTD.</b> United States District Court, Middle District of Florida, Tampa Case No.: 8:13-cv-3278.	Plaintiff  Co-Counsel: Frost Brown Todd, Louisville, KY D. Christopher Robinson and Shutts & Bowen LLP Orlando, FL John Dannecker	Branding	Submitted Expert Report (1/20/2015) Deposed (6/18/2015) Testified (11/3/2015)
<b>OROLOGIO OF SHORT HILLS, INC. and OROLOGIO INTERNATIONAL LTD., INC. v. THE SWATCH GROUP (U.S.) INC.</b> United States District Court for the District of New Jersey Case No. 2:11-cv-06854-SDW-MCA	Defendant  Counsel: Wuersch & Gering, New York, NY Samuel Levy	Advertising industry custom and practice re co-op advertising	Submitted Rebuttal Expert Report (11/8/2014)
<b>GLENNON MARRERO v. MICHAEL RAY NGUYEN-STEVENSON; UNIVERSAL MUSIC GROUP, INC.; TILLY'S, INC.; SHIEKH SHOES; AND DOE CORPORATION</b> United States District Court Central District of California Western Division Case No. 13-Cv-09291-Cbm-Pjw	Defendant  Counsel: Krongold Law Group Irvine, CA Steve Krongold	Advertising industry custom and practice re logo designs	Submitted Expert Report (10/29/2014) Submitted Rebuttal Report (11/2/2014) Deposed (11/7/2014)
<b>POQUITO MAS LICENSING CORPORATION v. TACO BELL CORP</b> United States District Court, Central District Of California Case No. 8:13-Cv-01933-Doc-Jpr	Plaintiff  Counsel: Blakely Law Group, Manhattan Beach, CA Brent Blakely	Trademark infringement	Submitted Expert Report (10/10/2014); Deposed (10/16/2014)

<b>THE CLEARLY FOOD &amp; BEVERAGE CO., INC. v. TOP SHELF BEVERAGES, INC</b> United States District Court, The Western District of Washington Case No. 2:13-cv-01763-JLR	Defendant  Counsel: Law Offices Of Nate Kelly, Beverly Hills, CA Nate Kelly	Trademark infringement	Submitted Expert Report (10/3/2014)
<b>CHRISTOPHER LEWERT et. al. v. BOIRON, INC. et. al.</b> (Successor to Jovel v. Boiron) United States District Court, Central District of California Case No. 2:11-cv-10803-SVW-SH	Defendant  Counsel: Orrick, Herrington & Sutcliffe, Los Angeles Elliot Henry	False and misleading advertising	Submitted Supplemental Expert Report (7/14/2014); Deposed (11/19/2015); Testified (6/10 and 6/13/2016)
<b>SARCO CREEK RANCH AND WILLIAM PARMLEY v. MILTON GREESON AND SARCO CREEK LAND &amp; CATTLE COMPANY.</b> U.S. District Court for the Southern District of Texas (Victoria) Case #: 6:14-cv-00013	Plaintiff  Counsel: Law Offices of Delphine James, Houston, TX Delphine James	Trademark infringement	Submitted Expert Report (5/19/2014)
<b>BASIC RESEARCH, LLC v. JASPER PRODUCTS, LLC</b> In the Third Judicial District Court in and for Salt Lake County, State of Utah Case No. 110903662	Plaintiff  Counsel: Price Parkinson & Kerr, Salt Lake City, UT Mark Williams	Consumer purchasing behavior	Submitted Expert Report (5/12/2014); Deposed (7/16/2014)
<b>NICHOLAS HUFFMAN v. EBAY, INC., et al.</b> Superior Court of the State of California, County of San Francisco Case No. CGC-13-528208.	Plaintiff  Counsel: Gearinger Law Group, San Francisco, CA Brian Gearinger	Publicity rights	Submitted Expert Report (1/9/2014)
<b>GRUPO GALLEGOS v. LA CURACAO; CURACAO, LTD; ADIR INTERNATIONAL, LLC</b> Superior Court of the State of California, County of Los Angeles Case No. BC496768.	Defendant  Direct: Curacao LTD, Los Angeles, CA Mauricio Fux, General Counsel	Advertising industry custom and practice re agency compensation	Settled prior to deposition

RETAINED IN 2013	RETAINED BY:	ISSUE(S):	ACTIVITIES:
<b>DOUGLAS HENDRICKS, MD v. PHYSICIANS SKIN &amp; WEIGHT CENTERS, INC.</b> United States District Court for the Central District of California Case No. SACV 12-02169 (RNBx).	Defendant  Counsel: Veatch Carlson, Los Angeles, CA S. Martin Keleti	Copyright infringement; false and misleading advertising	Submitted Expert Report (1/2/2014)



<p><b>MERIDIAN CREATIVE ALLIANCE, LLC v. O'REILLY AUTOMOTIVE, INC.</b> In the Circuit Court of Greene County, Missouri Case No. 0931-CV08770</p>	<p>Defendant  Counsel: Spencer Fane Britt &amp; Browne Springfield, MO Charles Cowherd</p>	<p>Advertising industry custom and practice re media billing and agency compensation</p>	<p>Submitted Expert Report (4/3/2015) Deposed (4/28/2015) Testified (6/11/2015)</p>
<p><b>PRIME MEDIA GROUP LLC v. ACER AMERICA CORPORATION</b> United States District Court Northern District of California, San Jose Division Case No. 5:12-cv-05020-EJD</p>	<p>Plaintiff  Counsel: Nixon Peabody, Chicago, IL Kevin P. Shea</p>	<p>Advertising industry custom and practice re media billing and agency compensation</p>	<p>Submitted Expert Report (5/30/2014); Submitted Expert Rebuttal Report (8/18/2014); Deposed (9/11/2014)</p>
<p><b>LEONIDAS JOVEL, et. al. v. BOIRON, INC. et. al.</b> United States District Court, Central District of California Case No. 2:11-cv-10803-SVW-SH.</p>	<p>Defendant  Counsel: Orrick, Herrington &amp; Sutcliffe, Los Angeles, CA Elliot Henry</p>	<p>False and misleading advertising</p>	<p>Submitted Expert Report (11/27/2013); class not certified; refiled with updated named plaintiff (see "Lewart")</p>
<p><b>YU HSIANG M. ALEXANDER and CAROL A. WETTERLING-FOOS v. L'OREAL U.S.A. INC.</b> Superior Court of the State of California, County of Los Angeles Case No: BC 431491.</p>	<p>Plaintiff  Counsel: Khorrami Boucher Sumner Sanguinetti, Los Angeles, CA Robert J. Drexler</p>	<p>False and misleading advertising</p>	<p>Submitted Expert Report (11/24/2013); Deposed (10/21/2013)</p>
<p><b>ZENON KESIK v. NATIONAL TV SPOTS, INC.</b> The Arbitration Tribunals of the American Arbitration Association AAA No. 72 147770 12 S1M.</p>	<p>Claimant  Retained by Claimant Zenon Kesik</p>	<p>Advertising industry custom and practice re motion picture advertising</p>	<p>Testified at Arbitration (11/25/2013)</p>
<p><b>LELAND S. SAYLOR v. SAYLOR PUBLICATIONS, INC., SIERRA WEST LLC; AND MARY WALLERS</b> United States District Court, Central District of California Case No. CV12-7268 MWF (CWx).</p>	<p>Plaintiff  Counsel: Royce Law Firm, East Lansing, MI Christopher R. Royce</p>	<p>Trademark infringement</p>	<p>Submitted Expert Report (11/9/2013)</p>
<p><b>MEGACOMFORT, INC. v. IMPACTO PROTECTIVE PRODUCTS, INC.</b> United States District Court, Central District of California, Southern Division Case No: SACV 13 - 00952 JST (AJWx).</p>	<p>Plaintiff  Counsel: Royce Law Firm, East Lansing, MI Christopher R. Royce</p>	<p>Trademark infringement</p>	<p>Submitted Expert Report (11/5/2013)</p>

<p><b>OTR MEDIA GROUP INC. APPEAL TO CITY OF NEW YORK, BOARD OF STANDARDS AND APPEALS</b>  In Re: 945 Zerega Avenue, Block 3700 Lot 31, Bronx, New York, Calendar No. 67-13-A; 330 Bruckner Boulevard, Block 2599, Lot 165, Bronx, New York, Cal. No. 68-13-A; 945 Zerega Avenue, Block 3700, Lot 31, Bronx, New York, Cal. No. 67-13-A; 174 Canal Street, Block 201, Lot 14, Manhattan, New York, Cal. No. 87-13-A; 25 Skillman Avenue, Block 2746, Lot 45, Brooklyn, New York, Cal. No. 69-13-A</p>	<p>Appellant   Counsel:  Bryan Cave,  New York, NY  Phyllis Arnold</p>	<p>Advertising industry custom and practice re billboard advertising</p>	<p>Submitted (4) Affidavits (5/31/2013)</p>
<p><b>BARRY CUTLER v. LANI STARK, ET AL.</b>  Circuit Court of the Second Circuit, State of Hawai'i  Civil Case No. 2CC1210798.</p>	<p>Plaintiff   Retained by Plaintiff  Barry Cutler</p>	<p>Publicity rights; advertising industry custom and practice re syndicated television</p>	<p>Submitted Expert Report (5/1/2013)</p>
<p><b>NORDSTROM, INC. and NIHC, Inc. v. 752419 CANADA INC. d/b/a BEYOND THE RACK; BEYOND THE RACK ENTERPRISES, INC., and BEYOND THE RACK USA INC.</b>  United States District Court, Western District of Washington at Seattle  Case No. 2:12-cv-01387-TSZ</p>	<p>Plaintiff   Counsel:  Baker Williams  Matthiesen,  Houston, TX  Sarah Silbert</p>	<p>Trademark infringement</p>	<p>Submitted Expert Report (3/21/2013)</p>
<p><b>GENERAL CHARLES E. "CHUCK" YEAGER (RET.) and PMN II, LLC v. FORT KNOX SECURITY PRODUCTS</b>  United States District Court for the District of Utah  Case No: 11-cv-00091-TS</p>	<p>Plaintiff   Counsel:  AlderLaw,  Los Angeles, CA  Michael Alder</p>	<p>Publicity rights</p>	<p>Submitted Expert Report (3/20/2013)</p>
<p><b>RESON A/S, and RESON, INC. v. R2SONIC, LLC et al.</b>  Superior Court for the State of California, County of Santa Barbara, Anacapa Division  Case No. 1342087</p>	<p>Plaintiff   Counsel:  Price, Postel &amp; Parma,  Santa Barbara, CA  Christopher E. Haskell</p>	<p>Trademark infringement</p>	<p>Settled prior to deposition</p>
<p><b>ZEST IP HOLDINGS, LLC and ZEST ANCHORS, LLC v. IMPLANT DIRECT MFG. LLC, IMPLANT DIRECT LLC, and IMPLANT DIRECT INT'L</b>  United States District Court for the Southern District of California  Case No. 3:10-cv-00541-LAB-WVG</p>	<p>Defendant   Retained by Hampton  IP &amp; Economic  Consultants,  Centerville, UT  Scott Hampton</p>	<p>False and misleading advertising</p>	<p>Submitted Expert Report (2/27/2013)</p>

<b>RETAINED IN 2012</b>	<b>RETAINED BY:</b>	<b>ISSUE(S):</b>	<b>ACTIVITIES:</b>
<b>DOMINION ENTERPRISES and HOMES.COM v. LINKUSYSTEMS, INC. and NICK DURMENT</b> United States District Court Central District of California, Southern Division Case Number 8:11-cv-01852-DOC-AN	Defendamt  Counsel: Veatch Carlson Los Angeles Keith G. Wileman	False and misleading advertising	Submitted Expert Report (1/2/2013)
<b>IN THE MATTER OF ARBITRATION BETWEEN THE SUN PACIFIC GROUP, CLAIMANT AND THE PARAMOUNT GROUP, RESPONDENT AND COUNTERCLAIMANT</b> American Arbitration Association – Commercial Arbitration Tribunal Case Number 720180-Y-01187-11	Claimant  Counsel: Damrell, Nelson, Schrimp, Pallios, Pacher & Silva, Modesto CA Kathy L. Monday	Advertising industry custom and practice re media planning	Testified (12/19/2012)
<b>IN RE: TOYOTA MOTOR CORP. UNINTENDED ACCELERATION MARKETING, SALES PRACTICES, AND PRODUCTS LIABILITY LITIGATION</b> United States District Court Central District of California Case No. 8:10ML2151 JVS (FMOx)	Plaintiffs  Counsel: Susman Godfrey LLP, Houston, TX Robert Safi	False and misleading advertising	Submitted Expert Report (7/20/2012). Submitted Rebuttal Expert Report (9/17/2012); Deposed (8/24/2012 and 9/3/2012)
<b>MARKETQUEST GROUP, INC., d/b/a All-In-One, v. BIC CORPORATION; BIC USA INC; and NORWOOD PROMOTIONAL PRODUCTS, LLC</b> United States District Court, Southern District of California Case No. 11cv0618 Jls Wmc	Defendant  Counsel: Gordon & Rees, San Diego, CA Richard Sybert	Trademark infringement	Submitted Expert Rebuttal Report (5/10/2012); Deposed (6/6/2012); Revised Rebuttal Report (10/6/2014)
<b>SPORTING SUPPLIES INTERNATIONAL, INC. v. TULAMMO USA, INC., ET AL.</b> United States District Court, Central District of California at Santa Ana Case No. SACV10-1338 AG (RNBx)	Plaintiff  Counsel: McQueen & Ashman, Irvine, CA Joshua Schaul	Trademark and trade dress infringement	Submitted Expert Report (4/12/2012); Deposed (6/13/2012)
<b>PACIFIC BIOSCIENCE LABORATORIES, INC. v. NUTRA LUXE MD, LLC; and NUTRA BOTANICAL MD, INC.</b> United States District Court, Western District of Washington at Seattle Case No. 2:10-cv-00230-JLR	Defendant  Counsel: Weiss & Moy, Scottsdale, AZ Ken Motolenich-Salas	False and misleading advertising	Submitted Expert Report (3/12/2012); Deposed (5/11/2012)

<b>IN RE: POM WONDERFUL LLC MARKETING AND SALES PRACTICES LITIGATION</b> United States District Court, Central District of California Master File No. 2:10-ml 2199-DDP (RZx) [MDL No. 2199]	Plaintiffs  Counsel: Kirtland & Packard, El Segundo, CA Behram V. Parekh	False and misleading advertising	Submitted Expert Reports (3/13/2012 and 5/30/2013); Deposed (5/29/2012 and 8/23/2013)
<b>FLIR SYSTEMS, INC. v. SIERRA MEDIA, INC. AND FLUKE CORPORATION</b> United States District Court, District Of Oregon, Portland Division Case No. 3:10-cv-00971-HU	Plaintiff  Counsel: Bickel & Brewer, Dallas, TX Robert M. Millimet	Trademark infringement; false and misleading advertising	Submitted Expert Report (3/13/2012). Deposed (4/18/2012); Testified (12/14/2012)

<b>RETAINED IN 2011</b>	<b>RETAINED BY:</b>	<b>ISSUE(S):</b>	<b>ACTIVITIES:</b>
<b>ZOOEY DESCHANEL v. STEVEN MADDEN LTD., STEVEN MADDEN RETAIL, INC., ICONIX BRAND GROUP a/k/a CANDIES' INC., IP HOLDINGS, LLC, KOHL'S DEPARTMENT STORES ET AL</b> Superior Court of the State of California for Los Angeles County Case No. BC 451472	Plaintiff  Counsel: Joseph D. Schleimer, Beverly Hills, CA	Publicity rights	Submitted Declaration (9/2/2011); Deposed (10/19/2011)
<b>SHANE MALEK; NHSI, INC.; and CELMATRIX, v. GR HAIR SOLUTIONS, LLC and GUTHY- RENKER CORPORATION</b> JAMS Arbitration No. 1210028833	Claimant  Counsel: Murphy Rosen Meylan & Davitt, Santa Monica, CA David E. Rosen	Advertising industry custom and practice re direct marketing	Submitted Expert Report (10/20/2011); Deposed (10/25/2011); Testified (11/15/2011)
<b>CONCEPT CHASER CO., INC. v. PENTEL OF AMERICA, ET AL.</b> Superior Court of the State of California, County of Los Angeles, Central District Case No. BC429108	Plaintiff  Counsel: Alderlaw, Los Angeles, CA Michael Alder	Advertising industry custom and practice re agency compensation	Deposed (9/19/2011); Testified (11/21/2011)

<b>MARTIN A. VANDERHOEVEN v. NEWPORT DUNES MARINA LLC ET AL.</b> Superior Court of the State of California, County of Orange Case No. 30-2009-00292882	Defendant  Counsel: Osman & Associates, Glendale, CA Michael J. Zuckerman	Advertising industry custom and practice re direct marketing	Settled prior to deposition
<b>NEW HGE, INC. d/b/a HOUSTON GOLD EXCHANGE v. JEWELRY BUYERS, INC.</b> In the District Court Of Harris County, Texas, 333rd Judicial District Cause No. 2009-78988	Plaintiff  Co-Counsel: Andrew Piekalkiewicz and John C. LaGrappe Houston, TX	Trademark infringement	Deposed (2/22/2011; 8/10/2011)

RETAINED IN 2010	RETAINED BY:	ISSUE(S):	ACTIVITIES:
<b>JESSICA ANN COLLINS v. 4 LIFE WEIGHT LOSS CENTERS, INC.</b> In the Circuit Court of Jackson County, Missouri at Kansas City, MO Case No. 0916-CV17572 Division 4	Plaintiff  Counsel: Davis, Ketchmark & McCreight, Kansas City, MO Brian Ivers	False and misleading advertising	Deposed (5/14/2010)
<b>CAROL W. ROWE v. LIFESTYLE LIFT HOLDING, INC., ET AL.</b> In the Court of Common Pleas, Cuyahoga County, Ohio Case No. CV-08-672025	Plaintiff  Counsel: Petersen & Petersen, Chardon OH Susan Petersen	False and misleading advertising	Submitted Expert Report (1/14/2010)

RETAINED IN 2009	RETAINED BY:	ISSUE(S):	ACTIVITIES:
<b>STATE OF CALIFORNIA v. MATTHEW PARKER</b> Superior Court of the State of California for the County of Los Angeles Felony Complaint LA061984	Defendant  Counsel: Law Offices Of Allison B. Margolin, Beverly Hills, CA Allison Margolin	False and misleading advertising	Submitted Expert Report (12/2/2009)
<b>PAUL W. HERBERT, AN INDIVIDUAL v. DONALD K. DAVIES ET AL</b> ADR Services Case #09-5576-ABH	Claimant  Counsel: Krane & Smith, Encino, CA Stephanie Lewis	Advertising custom and practice re direct marketing	Deposed (5/29/2009); Testified (12/30/2009)
<b>THE STOCKROOM, INC., v. XR, LLC AND ARI H. SUSS</b> United States District Court, Central District of California, Southern Division Case No. SACV08-01046 JVS (RNBx)	Defendant  Counsel: Royce Law Firm East Lansing, MI Christopher R. Royce	Copyright infringement	Submitted Expert Reports (8/23/2009 and 9/25/2009)

<p><b>BROWN v. CHEGINI (CALIFORNIA LAWYERS GROUP, LLP v. CALIFORNIA LAWYERS GROUP, INC.)</b> Superior Court of the State of California for the County of Orange Case No. 07CC10325</p>	<p>Plaintiff  Counsel: Scapa Law Group Woodland Hills, CA Robert Scapa</p>	<p>Trademark infringement</p>	<p>Submitted Declaration (6/29/2009); Deposed (2/25/2009); Testified (6/24/2009)</p>
<p><b>PEOPLE OF THE STATE OF CALIFORNIA v. ULISES GUTIERREZ</b> Superior Court of the State of California for the County of Los Angeles Felony Complaint A085949</p>	<p>Defendant  Counsel: Wallin &amp; Klarich West Covina, CA Daniel V. Cota</p>	<p>False and misleading advertising; trademark infringement</p>	<p>Settled prior to trial.</p>

<b>RETAINED IN 2008</b>	<b>RETAINED BY:</b>	<b>ISSUE(S):</b>	<b>ACTIVITIES:</b>
<p><b>IN RE THE MARRIAGE OF ISABELLE SUISSA, PETITIONER AND DAVID SUISSA, RESPONDENT</b> Superior Court of the State of California for the County of Los Angeles, Central District Case No. BD 379-422</p>	<p>Respondent  Counsel: Kolody Anteau, Beverly Hills, CA Michael Kretzmer</p>	<p>Advertising industry custom and practice re responsibilities of agency managers</p>	<p>Deposed (10/13/2008)</p>
<p><b>REGENCY OUTDOOR ADVERTISING, INC. v. CHRYSLER REALTY COMPANY, LLC</b> Superior Court of the State of California for the County of Los Angeles Case No. BC 366735</p>	<p>Defendant  Counsel: Howard &amp; Howard, Las Vegas, NV Robert Rosenthal</p>	<p>Advertising industry custom and practice re value of a media property</p>	<p>Deposed (1/4/2008)</p>
<p><b>REGIONAL ADVERTISING COOPERATIVE OF SOUTHERN CALIFORNIA, INC. v. FAROKH POUR, aka TONY POUR; LUBZ, INC.; AND SAZACH, LLC</b> Superior Court of the State of California for the County of Los Angeles, Southeast District Case No. VC041966</p>	<p>Plaintiff  Counsel: Tredway, Lumsdaine &amp; Doyle, Downey, CA Roy J. Jimenez</p>	<p>Advertising industry custom and practice re media</p>	<p>Deposed (5/27/2008); Testified (June, 2008)</p>

<b>RETAINED IN 2007</b>	<b>RETAINED BY::</b>	<b>ISSUE(S):</b>	<b>ACTIVITIES:</b>
<p><b>FLOTSAM OF CALIFORNIA, INC., DBA NORLAND'S ON THE WHARF AND SHORELINE SURF SHOP v. HUNTINGTON BEACH CONFERENCE AND VISITORS BUREAU</b> U.S. District Court, Northern District of California, San Francisco Division Case No. C 06-07028 MMC</p>	<p>Defendant  Counsel: Gordon &amp; Rees, Los Angeles Craig Mariam</p>	<p>Trademark infringement</p>	<p>Submitted Expert Report (11/8/2007)</p>

<p><b>ADJUSTMENT OF RATES AND TERMS FOR PREEXISTING SUBSCRIPTION SERVICES AND SATELLITE DIGITAL AUDIO RADIO SERVICES</b></p> <p>Before the Copyright Royalty Judges, Library of Congress, Washington, D.C. Docket No. 2006-1 CRB DSTR A</p>	<p>Satellite Digital Audio Radio Services (Sirius and XM)</p> <p>Co-Counsel: Wiley Rein, Washington DC Karen Ablin and Weil, Gotshal &amp; Manges, New York, NY Jonathon Bloom</p>	Marketing value of publicity	Submitted Written Expert Testimony (7/27/2007); Testified (8/2007)
<p><b>ACKERMAN MCQUEEN INC. v. THE B EQUAL COMPANY AND THE EDUGAMING CORPORATION</b></p> <p>United States District Court, Western District of Oklahoma Case No. CV-05-01365</p>	<p>Defendant</p> <p>Counsel: Monnet, Hayes, Bullis, Thompson &amp; Edwards, Oklahoma City, OK Robert C. Smith, Jr.</p>	Advertising industry custom and practice re agency compensation	Submitted Written Expert Declaration (6/10/2007); Deposed (July, 2007)
<p><b>PRO CLUB v. PRO 5 ET AL.</b></p> <p>United States District Court, Central District of California Case No. CV-06-4846 (SJO) FMOx</p>	<p>Plaintiff</p> <p>Counsel: Marh &amp; Associates, Los Angeles Martin E. Stearn</p>	Trademark and trade dress infringement	Case dismissed by court

<b>RETAINED IN 2006</b>	<b>RETAINED BY:</b>	<b>ISSUE(S):</b>	<b>ACTIVITIES:</b>
<p><b>DEPARTMENT OF PARKS AND RECREATION v. STEPHEN HARPER, AN INDIVIDUAL AND MALILBU PIER COMPANY, LLC</b></p> <p>United States District Court, Central District of California Case No. 2:05-CV-02008-DSF-JWJ</p>	<p>Plaintiff</p> <p>Counsel: Gordon &amp; Rees, San Diego, CA Richard Sybert</p>	Trademark infringement	Submitted Expert Report (2/28/2006); Testified (8/3/2006)

<b>RETAINED IN 2003</b>	<b>DESIGNATED BY:</b>	<b>ISSUE(S):</b>	<b>ACTIVITIES:</b>
<p><b>KRAK TV, INC., et al v. WESTERN INTERNATIONAL MEDIA, ET AL.</b></p> <p>Superior Court of the State of California for the County of Los Angeles Case No. BC207676</p>	<p>Defendant</p> <p>Retained by Defendant Initiative Media, Los Angeles, CA Daniel Karnowsky, Chief Counsel</p>	Advertising industry custom and practice re sequential liability	Testified (June, 2003)

RETAINED IN 2002	RETAINED BY:	ISSUE(S):	ACTIVITIES:
<p><b>PEOPLE OF THE STATE OF CALIFORNIA ex rel. BILL LOCKYER, ATTORNEY GENERAL OF THE STATE OF CALIFORNIA v. R.J. REYNOLDS TOBACCO CO.</b>            Superior Court of the State of California for the County of San Diego            Case No. GIC764118</p>	<p>Plaintiff             Counsel:            State of California –            Office of the            Attorney General,            Sacramento, CA            Karen Leaf</p>	<p>False and misleading advertising</p>	<p>Deposed (2002);            Testified (2002)</p>

RETAINED IN 2000	RETAINED BY:	ISSUE(S):	ACTIVITIES:
<p><b>PEOPLE OF THE STATE OF CALIFORNIA, ET AL. v. BROWN &amp; WILLIAMSON TOBACCO CORP., ET AL AND PHILIP MORRIS INC., ET AL. (“TOBACCO CASES II”)</b>            Superior Court of the State of California for the County of San Diego            Case No. 996781</p>	<p>Plaintiffs             Counsel:            Thorsnes Bartolotta            &amp; McGuire,            San Diego, CA            R. Christian Hulbert</p>	<p>False and misleading advertising</p>	<p>Deposed            (7/2/2000)</p>

NOT RETAINED