



OnPoint
Analytics

Gareth James Macartney, Ph.D.
Senior Economist, Director of Competition Analytics

Direct: (510) 463-0168
gmacartney@onpointanalytics.com

INDUSTRY EXPERIENCE

Senior Economist, OnPoint Analytics, Inc., 2008 – Present:

Dr. Gareth Macartney is a principal and the Director of Competition Analytics at OnPoint. He is a testifying economist with a particular emphasis on liability, impact and damages analysis in the context of antitrust, intellectual property, breach of contract, and class action cases, among other types of complex litigation. As the Director of the firm's Competition practice, Dr. Macartney also manages work for affiliate experts, supervising staff and overseeing report and testimony preparation. As testifying expert and as manager, Dr. Macartney has analyzed a wide variety of industries, including agriculture and food (eggs, milk, packaged seafood, chicken leg quarters, fertilizers), consumer electronics (digital cameras, smartphones, personal computers, network switches), electronic manufacturing (liquid crystal displays, optical disk drives, lithium ion batteries, DRAM), retail (apparel, coffee brewers), online advertising, heavy industry (auto parts, steel, ready-mixed concrete, hard rock mining), transport (rail freight, air cargo), energy (oil, natural gas, gasoline), pharmaceuticals, water, and real estate.

SELECTED CASES

As Testifying Expert:

Micron Technology, Inc. v. United Microelectronics Corporation, et al.

Dan Johnson Law Group, LLP (2019–)

- Trade Secrets, DRAM
- One Expert Report for Mediation

In Re: Packaged Seafood Products Antitrust Litigation

Ahern and Associates, P.C. (2019–)

- Antitrust, Packaged Seafood
- Two Expert Reports, Two Depositions

JBR, Inc. (d/b/a Rogers Family Co.) v. Keurig Green Mountain, Inc.

Dan Johnson Law Group, LLP (2018–)

- Antitrust, Single-Serve Coffee Brewers
- One Expert Report for Mediation

Ipsilium LLC v. Cisco Systems, Inc.

Dan Johnson Law Group, LLP (2018–2019)

- Patent Damages, Network Switches

Engquist, et al. v. City of Los Angeles

Wolf Haldenstein Adler Freeman & Herz LLP (2018–)

- Taxation Class Action, Gas Utility Taxes
- Two Expert Declarations

Altela, Inc. v. Arizona Science and Technology Enterprises, et al.

The Miller Law Firm, P.C. (2018)

- Breach of Contract, Water Treatment Technology
- One Expert Report, One Deposition, Arbitration Testimony

Acer, Inc., et al. v. Lite-On IT Corp., et al.

TechKnowledge Law Group, LLP (2015–2019)

- Antitrust, Optical Disk Drives
- Two Expert Reports, Two Depositions

Fujifilm Corporation v. Motorola Mobility, LLC

Morgan, Lewis & Bockius, LLP (2015–2016)

- Patent Damages, Smartphone Technology
- Two Expert Reports, One Deposition, Jury Trial Testimony

Eastman Kodak Company v. Epson Imaging Devices Corporation, et al.

Nixon Peabody, LLP (2011–2013)

- Antitrust, Liquid Crystal Display Panels
- Three Expert Reports, Two Depositions

Attorney General of Mississippi v. Yazaki North America, Inc., et al.

Hazzard Law, LLC (2015–)

- Antitrust, Automotive Wire Harnesses
- Two Declarations

Acer Inc., et al. v. Samsung SDI Co., LTD., et al.

TechKnowledge Law Group, LLP (2015–2018)

- Antitrust, Lithium Ion Batteries

Acer America Corp., et al. v. Hitachi, Ltd., et al.

TechKnowledge Law Group, LLP (2014–2015)

- Antitrust, Liquid Crystal Display Panels

Home Depot USA, Inc. v. AU Optronics Corp., et al.

Bryan Cave, LLP (2015)

- Antitrust, Liquid Crystal Display Panels

Teramura, et al. v. Walgreen Co., d/b/a Walgreens

Sanford Law Firm, LLP (2014)

- Wage & Hour Class Action, Retail
- Two Expert Reports

NextBus, Inc. v. NextBus Information Systems

Wm. Kochenderfer, PC (2012)

- Breach of Contract, Real Time Passenger Information Technology & Advertising
- One Expert Report

As Manager:

Antitrust

Winn-Dixie Stores, Inc. and Bi-Lo Holdings, LLC v. Southeast Milk, Inc., et al.
Ahern and Associates, P.C. (2016–)

In Re: Rail Freight Fuel Surcharge Antitrust Litigation
Hausfeld, LLP, Quinn, Emanuel, Urquhart, Oliver & Hedges, LLP (2010–)

In Re: Processed Egg Products Antitrust Litigation
Hausfeld, LLP (2008–)

In Re: Wholesale Grocery Products Antitrust Litigation
Kotchen & Low, LLP (2016–2017)

Fond du Lac Bumper Exchange, Inc., et al. v. Jui Li Enterprise Company, Ltd., et al.
Karon, LLC (2014–2016)

Reorganized Farmland Industries v. OneOk, Inc., et al.
Sharp McQueen, P.A. (2015–)

In Re: Pool Products Distribution Market Antitrust Litigation
Kaplan, Fox & Kilsheimer, LLP (2013–2016)

In Re: Northeastern Milk Antitrust Litigation
Howrey, LLP (2011–2016)

In Re: Air Cargo Shipping Services Antitrust Litigation
Hausfeld, LLP (2012–2013)

In Re: Southeastern Milk Antitrust Litigation
Howrey, LLP (2010–2013)

Stanislaus Food Products v. USS-POSCO Industries et al.
Lieff, Cabraser, Haimann & Bernstein, LLP (2012)

In Re: Potash Antitrust Litigation
Pearson, Simon & Warshaw, LLP (2010–2011)

In Re: Ready-Mixed Concrete Antitrust Litigation
Cohen & Malad, LLP (2008–2010)

Intellectual Property

Eli Lilly and Company v. Mayne Pharma USA, Inc. et al. (Gemzar)
Winston & Strawn, LLP (2010)

Impax Laboratories, Inc., v. Shire, LLC et al. (Adderall XR)
Frommer, Lawrence & Haug, LLP (2010)

Aspex Eyewear, Inc. and Contour Optik, Inc. v. Hardy Life, LLC, et al.
Sheppard, Mullin, Richter & Hampton, LLP, Frommer, Lawrence & Haug, LLP (2010)

Eli Lilly and Company v. Hospira, Inc., et al. (Gemcitabine)
Winston & Strawn, LLP (2009)

Santarus, Inc. and the Curators of the University of Missouri v. Par Pharmaceutical, Inc. (Zegerid)
Arent Fox, LLP (2009)

Forest Laboratories, Inc., et al. v. Caraco Pharmaceutical Laboratories, Ltd. (Lexapro)
Winston & Strawn, LLP (2008–2009)

Novo Nordisk A/S and Novo Nordisk Inc. v. Caraco Pharmaceutical Laboratories, Ltd. and Sun Pharmaceutical Industries, Ltd. (Prandin)
Winston & Strawn, LLP (2008)

Breach of Contract

Fowler Packing Company v. Sun Pacific Shippers, Paramount Citrus Association, et al.
Gibson, Dunn & Crutcher, LLP (2016)

Tula Foods, Inc. v. The Kroger Co.
Vorys, Sater, Seymor, and Pease, LLP (2014)

AgroSource, Inc. v. Sipcam Agro USA, Inc.
Wiley Rein, LLP (2012)

Frank K. Cooper Real Estate #1, Inc., et al. v. Cendant Corporation and Century 21 Real Estate Corporation
Zwerling, Schachter & Zwerling, LLP (2009–2011)

Road Ranger v. Citgo
Stahl Cowen Crowley Addis, LLC (2009)

Environmental

Freeport-McMoRan Inc., Comment Re: Proposed Rule for Financial Responsibility Requirements under CERCLA § 108(b) for Classes of Facilities in the Hardrock Mining Industry
Vinson & Elkins, LLP (2010–2017)

Roosevelt Irrigation District v. Salt River Project Agricultural Improvement and Power District, et al.
Bonnett, Fairbourn, Friedman and Balint, P.C. (2015–2016)

Clyde Litchfield, et al. v. Onstott Dusters, Inc. et al.
McCormick, Barstow, Sheppard, Wayte & Carruth, LLP (2009)

State of Oklahoma v. Tyson Foods, Inc. et al.
Ryan, Whaley & Coldiron, LLP (2009)

Product Labelling

Siobhan Morron, et al. v. Carter's, Inc. et al.
Carlson Lynch Sweet Kilpela Carpenter, LLP (2017–)

Leah Segedie, et al. v. the Hain Celestial Group, Inc.
Finkelstein, Blankinship, Frei-Pearson & Garber, LLP (2016–2018)

Rosminah Brown, et al. v. the Hain Celestial Group, Inc.
Lexington Law Group (2014)

Miscellaneous

Estuardo Ardon, et al. v. City of Los Angeles
Wolf Haldenstein Adler Freeman & Herz, LLP (2013–2014)

Carla Villa and Vanessa Garza, et al. v. City of Chula Vista
Capretz & Associates (2012)

Certain Underwriters at Lloyd's Severally Subscribing Policy Number DP359504 et al. v. Tyson Foods, Inc.
Dickstein Shapiro, LLP (2009–2010)

EDUCATION

University College London, London, England

Ph.D. Economics | 2008 | Title: "Market Institutions and Firm Behavior: Output and Innovation in the Face of Reform"

Royal Holloway College, University of London, London, England

M.Sc. Economics | 2003 | Distinction

Exeter College, Oxford University, Oxford, England

B.A. Physics | 1996 | Class 2:1

PUBLICATIONS

Economic Principles for Class Certification Analysis in Antitrust Cases (joint with Gordon Rausser), *Antitrust Magazine, Section of Antitrust Law, American Bar Association*, Spring 2016, vol. 30, no. 2, pp. 60-67

Rising Standards for Class Certification: Implications for Economic Analysis (joint with Gordon Rausser), *The Journal of Business and Economics*, March 2016, vol. 7, no. 3, pp. 836-870

Employment Protection Legislation, Multinational Enterprises and Innovation (joint with Rachel Griffith), *The Review of Economics and Statistics*, March 2014, vol. 96, no. 1, pp. 135-150

Antitrust Class Proceedings – Then And Now (joint with Michael Hausfeld, Gordon Rausser, Michael Lehmann and Sathya Gosselin), *The Law and Economics of Class Actions, Research in Law and Economics*, 2014, vol. 26, pp. 77-133

The Location of Innovative Activity in Europe (joint with Laura Abramovsky, Rachel Griffith and Helen Miller), *The Institute for Fiscal Studies*, July 2008, Working Paper 08/10

Product Market Reforms, Labour Market Institutions and Unemployment (joint with Rachel Griffith and Rupert Harrison), *The Economic Journal*, March 2007, vol. 117, no. 519, pp. C142-C166

SCHOLARSHIPS AND AWARDS

- Best Academic Private Enforcement Article, 2015 Antitrust Writing Awards, Concurrences Journal and George Washington University's Competition Law Center
- Advanced Institute of Management Scholarship 2004–2007
- University College London, Department of Economics, W. M. Gorman Scholarship
- University College London, Department of Economics, Honorable Mention in Teaching Assistant Awards

PRIOR EMPLOYMENT

Ph.D. Scholar, the Institute for Fiscal Studies, London, UK, 2004–2007

- Academic and industry research with the Productivity and Innovation team of a leading UK research institute
- Funded by the institute through Ph.D. program

Teaching Assistant, Department of Economics, University College London, 2003–2007

- Undergraduate courses in Industrial Organization, Macroeconomics, and Econometrics

Consultant, Corporate Banking and Financial Markets, Royal Bank of Scotland, PLC, 2002 (May to Oct)

- Managed reconciliation exercise between two departments of the bank, reporting to senior bank personnel

Analyst, Group Risk, Royal Bank of Scotland, PLC, 1999–2001

- Designed and managed creation of credit risk reporting software
- Passed financial regulator's exams in securities and derivatives

IT Consultant, Logica UK Ltd, 1997–1999

- Consultancy in energy, transportation, and defense sectors

CONFERENCES AND PRESENTATIONS

From Estimation to Prediction in Economic Analysis at Class Certification, presented at:
Festschrift in Honor of Gordon Rausser, University of California, Berkeley, October 2019

Law & Economics, Panel Participant at:
Festschrift in Honor of Gordon Rausser, University of California, Berkeley, October 2019

Damage Analysis in Intellectual Property Litigation, presented at:
Bar Association of San Francisco, Barristers Club, Continuing Legal Education, November 2016

Antitrust Class Proceedings – Then And Now, presented at:
Class Action Landscape: Yesterday, Today and Tomorrow – Perspectives in Law and Economics,
Research in Law and Economics Conference 2013, Boston

Firm Investment in Innovation and Fixed Assets: the Effect of US Tax Reforms that Reduced the Relative Price of Equity to Debt, presented at:

Productivity, Innovation & Intellectual Property Series 2007, London School of Economics

Competition and Innovation, presented at:

Oxford University and Cambridge University, Institute for Fiscal Studies, Public Economics Lecture Series, February 2007

Product Market Reforms, Labour Institutions and Unemployment, presented at:

European Economics Association Congress 2006, Vienna University
Royal Economic Society Conference 2006, Nottingham University

Matching Firm Accounts to Patents, presented at:

European Policy on Intellectual Property Conference 2006, Bocconi University, Milan

REFeree ACTIVITY

The European Economic Review, the Journal of Competition Law and Economics, the Economics of Transition, Oxford Economic Papers, and Fiscal Studies