



OnPoint  
Analytics

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## INDUSTRY EXPERIENCE

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

Dr. Gareth Macartney is the Chief Executive Officer and 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 insurance; heavy industry (auto parts, steel, ready-mixed concrete, hard rock mining, caustic soda); electronic manufacturing (liquid crystal displays, optical disk drives, lithium ion batteries, DRAM); transport (rail freight, air cargo, trucks); energy (oil, natural gas, gasoline); food and agriculture (packaged seafood, eggs, milk, poultry, fertilizers, fruits); consumer electronics (digital cameras, smartphones, personal computers, network switches); retail (apparel, yoghurt, single-serve coffee, protein bars); online advertising; cryptocurrencies; pharmaceuticals; water; real estate; and, education.

## SELECTED CASES

### As Expert:

*Marc Schultz, et al. v. Emory University*

Francis Mailman Soumilas, P.C. (2022–)

- Class Action, Tuition Fees
- One Expert Declaration, One Deposition

*Holly Wedding, et al. v. California Public Employees' Retirement System, et al.*

Shernoff Bidart Echeverria LLP (2022–)

- Class Action, Long-term Care Insurance
- One Expert Report, One Deposition

*In re: Caustic Soda Antitrust Litigation*

Wexler Boley & Elgersma LLP, Grant & Eisenhofer P.A. (2020–)

- Class Action, Caustic Soda
- One Expert Declaration, One Deposition

*Lincoln Adventures, LLC, et al. v. Those Certain Underwriters at Lloyd's, et al.*

Robbins Geller Rudman & Dowd LLP (2017–)

- Class Action, Insurance
- One Expert Declaration, One Deposition

*Nview Health, Inc. v. David V. Sheehan, M.D.*

Gunster (2022–)

- Breach of Contract, Healthcare Technology
- One Expert Report

*Jonathan Michel v. Yale University*

The Golan Firm (2022–)

- Class Action, Tuition Fees
- Two Expert Declarations, One Deposition

*Marantz Brothers, LLC v. Tate & Lyle Ingredients Americas LLC, et al.*

Enenstein, Pham & Glass LLP (2021–2022)

- Antitrust, Bar Fiber
- Two Expert Reports, One Deposition

*Cryptocurrency Patent Valuation*

Haug Partners, LLP (2020)

- Patent Valuation
- One Valuation Report

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

Dan Johnson Law Group, LLP (2019–2021)

- Trade Secrets, DRAM
- Two Expert Reports

*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
- Four Expert Reports, One Deposition

*Ipsilium LLC v. Cisco Systems, Inc.*

Dan Johnson Law Group, LLP (2018–2019)

- Patent Damages, Network Switches
- Analysis for Preliminary Damages Contentions

*Engquist, et al. v. City of Los Angeles*

Wolf Haldenstein Adler Freeman & Herz LLP (2018–2020)

- 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 (2015–2019)

- Antitrust, Automotive Wire Harnesses
- Two Expert 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**

*Ryder Limited and Hill Hire Limited v. Man SE et al.*  
Ashurst, LLP (2018–)

*Winn-Dixie Stores, Inc. and Bi-Lo Holdings, LLC v. Southeast Milk, Inc., et al.*  
Ahern and Associates, P.C. (2016–2019)

*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 (2008–2018)

*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. (2015–2021)

*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

*Austin Rugg and Jennifer Fish, et al. v. Johnson & Johnson*  
The Golan Firm (2019-2020)

*Siobhan Morron, et al. v. Carter's, Inc, et al.*  
Carlson Lynch Sweet Kilpela Carpenter, LLP (2017–2018)

*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)

### Insurance

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

### Taxation

*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)

## 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**

Antitrust Economics: Developments in Economic Theory and Analysis, Panel Participant at:  
Golden State Antitrust & Unfair Competition Law Institute Conference,  
San Francisco, November 2022

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