OnPoint Analytics

Gareth James Macartney, Ph.D.
President & CEO, Senior Economist

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INDUSTRY EXPERIENCE

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

Dr. Gareth Macartney is the President & CEO 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. In the course of his work, Dr. Macartney has analyzed a wide variety of industries, including insurance (property & casualty, long-term care, healthcare, title); pharmaceuticals; education; 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, cattle, fertilizers, fruits); consumer electronics (digital cameras, smartphones, personal computers, network switches, music streaming, video streaming on passenger planes, e-books, car navigation, mesh Wi-Fi, e-cigarettes); retail (apparel, yoghurt, single-serve coffee, protein bars); cosmetics and personal care; online advertising; cryptocurrencies; water; real estate; and, travel. Dr. Macartney has testified as an expert witness in deposition, in arbitration, and at trial.

CASES

As Expert:

Avery Jurek, et al. v. Dickinson College
Lynch Carpenter LLP (2026–)

- Class Action, Tuition
- One Expert Report

BitHarmony LLC v. Amazon.com, Inc. and Amazon.com Services, LLC
Fenwick & West, LLP (2026–)

- Patent Damages, Streaming Video Encoding/Decoding
- One Expert Report, One Deposition

Bethany Lopez, et al. v. California Baptist University
Leeds Brown Law, P.C. (2026–)

- Class Action, Tuition
- One Expert Report

In re: Copaxone Antitrust Litigation
Wexler Boley & Elgersma LLP (2025–)

- Class Action, Pharmaceuticals
- Two Expert Reports, One Deposition

Wendy Kaufman, et al. v. First American Title Company, et al.
Friedman Rubin, PLLP (2025–)

- Class Action, Title Insurance
- One Declaration

Samesurf, Inc. v. Intuit Inc.
Fenwick & West, LLP (2025–)

- Patent Damages, Co-Browsing
- One Expert Report, One Deposition

Elizabeth Wilmot, et al. v. First American Title Company, et al.
Friedman Rubin, PLLP (2025–)

- Class Action, Title Insurance
- One Declaration

DivX, LLC v. Amazon.com, Inc. and Amazon Web Services, Inc.
Fenwick & West, LLP (2025–)

- Patent Damages, Streaming Video Encoding/Decoding
- Two Expert Reports, One Deposition

Alpha and Omega Semiconductor Limited, and Alpha and Omega Semiconductor Incorporated, v. Force MOS Technology Co., Ltd. v. Jireh Semiconductor, Inc.
Dan Johnson Law Group, LLP (2023–)

- Patent Damages, Power MOSFETS
- One Expert Report, One Deposition

C. R. Bard, Inc. and Bard Peripheral Vascular, Inc., v. Medical Components, Inc.
Quinn Emanuel Urquhart & Sullivan, LLP (2025–)

- Patent Damages, Power Injectable Ports
- Two Expert Reports

Lori Ostenfeld, Deborah Geschwind, and Judy Stillwill, individually and on behalf of all others similarly situated v. The Laundress, LLC
Squitieri & Fearon, LLP (2025–)

- Class Action, Cleaning Products
- Two Expert Reports, One Deposition

Terran Biosciences, Inc., University of Maryland, Baltimore, and Scott Thompson v. Compass Pathfinder Limited, Ekaterina Malievskaia, M.D., and George Goldsmith
Quinn Emanuel Urquhart & Sullivan, LLP (2025–)

- Trade Secrets, Bioscience
- Four Expert Reports, One Deposition

In re: Turkey Antitrust Litigation
Ahern and Associates, P.C. (2024–)

- Antitrust, Turkey Industry
- Two Expert Reports, One Deposition

Thomas Iglesias, et al. v. Arizona Beverages USA, LLC, Inc.
Clarkson Law Firm (2024–2025)

- False Labelling, Beverages
- One Expert Report

Meredith Faw, on behalf of herself and all others similarly situated v. Villanova University
Leeds Brown Law, P.C. (2025–)

- Class Action, Tuition Fees
- One Expert Report

Western Digital Technologies, Inc., et al. v. Viasat, Inc.
Quinn Emanuel Urquhart & Sullivan, LLP (2024–2025)

- Patent Damages, Satellite Streaming
- One Expert Report, One Deposition

R2 Solutions LLC v. Databricks, Inc.
Fenwick & West LLP (2024–)

- Patent Damages, Data Management
- Two Expert Reports, One Deposition

In Re: Juul Antitrust (End Purchasers)
Zwerling, Schachter & Zwerling LLP (2020–)

- Antitrust Class Action, E-Cigarettes
- Three Expert Reports, One Deposition

Randall Heagney et al. v. John Paul Mitchell Systems
Hagens Berman Sobol Shapiro LLP (2024–)

- False labelling, Hair-care Products
- Three Expert Reports, Two Depositions

Justyn Hornor v. Brandon Wey aka Brandon Wade, Reflex Media, Inc., et al.
SF Firm LLP (2023–)

- Unfair dismissal, Media
- Two Expert Reports

Matthew Havrilla, et al. v. Centene Corporation, et al.
Wexler Boley & Elgersma LLP (2023–)

- Class Action, Health Insurance
- One Declaration

In re: Cattle and Beef Antitrust Litigation (Indirect Sellers)
Paul, LLP (2024–)

- Antitrust Class Action, Cattle
- Two Expert Reports, One Deposition

Oscar Felix, et al. v. Roosevelt University
Lynch Carpenter, LLP (2024–)

- Class Action, Tuition Fees
- One Expert Report

Noah Plank, et al. v. Kansas State University, et al.
Sharp Law, LLP (2024–)

- Class Action, Tuition Fees
- Three Expert Reports, One Deposition

Jeffrey Albert Sjobring, et al. v. First American Title Insurance Company, et al.
Shernoff Bidart Echeverria, LLP (2023–)

- Class Action, Title Insurance
- Three Expert Reports, One Deposition, Jury Trial Testimony

Julia Jin-Wolfson, et al. v. Lafayette College
Leeds Brown Law, P.C. (2024–)

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

Samuel Dean, et al. v. Maryville University of Saint Louis
Lynch Carpenter LLP (2024–)

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

TrackThings, LLC v. Amazon.com, Inc., et al.
Fenwick & West LLP (2022–2024)

- Patent Damages, Mesh Wi-Fi
- Two Expert Reports, One Deposition, Jury Trial Testimony

Lashify, Inc. v. Worldbeauty
Fenwick & West LLP (2022–2024)

- Patent Damages, Cosmetics
- Three Expert Reports, One Deposition, Jury Trial Testimony, Post-Judgment Declarations

Lashify, Inc. v. Hollyren
Fenwick & West LLP (2022–2024)

- Patent Damages, Cosmetics
- Three Expert Reports, One Deposition

Sylvia Jones, John Ellis, et al. v. Tulane University
Leeds Brown Law, P.C. (2023–)

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

Shelby Poston, et al. v. Syracuse University
Leeds Brown Law, P.C. (2023–)

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

Henry Mooers, et al. v. Middlebury College
Leeds Brown Law, P.C. (2023–)

- Class Action, Tuition Fees
- One Expert Report

Michael James Lawson, Jr., Tara Lawson, et al. v. Pennsylvania College of Technology
Poulin Willey Anastopoulo, LLC (2023–)

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

Beacon Navigation GMBH v. BMW AG, BMW of North America, LLC, and BMW Manufacturing Co., LLC
TechKnowledge Law Group LLP (2023–2024)

- Patent Damages, Car Navigation
- One Expert Report, One Deposition

Melissa Douglas, Thomas Aikins, Sara Kahl, et al. v. EF Education First International, Ltd., EF Institute for Cultural Exchange, Inc., and EF Explore America, Inc.
Bailey Glasser (2023–2024)

- Class Action, Travel
- Two Expert Reports, One Deposition

Maaz Qureshi, Matthew Rabinowitz, and Danish Arif, et al. v. American University
Anastopoulo Law Firm, LLC (2023–)

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

Anilda Rodrigues and Sarah Talbott, et al. v. Boston College
The Golan Firm (2023–)

- Class Action, Tuition Fees
- Two Expert Reports

Lozada v. Case Western Reserve University
The Sultzer Law Group, P.C. (2023–)

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

TrackTime, LLC v. Amazon.com, Inc., et al.
Fenwick & West LLP (2022–2023)

- Patent Damages, Music and Audiobook Technology
- Two Expert Reports, One Deposition, Jury Trial Testimony

In re University of San Diego Tuition and Fees COVID-19 Refund Litigation
The Golan Firm (2023–)

- Class Action, Tuition Fees
- Three Expert Reports, One Deposition

Scott Schmidhauser, et al. v. Tufts University
The Golan Firm (2022–)

- Class Action, Tuition Fees
- One Expert Report

Marc Schultz, et al. v. Emory University
Francis Mailman Soumilas, P.C. (2022–)

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

In re: Caustic Soda Antitrust Litigation
Wexler Boley & Elgersma LLP, Grant & Eisenhofer P.A. (2020–)

- Class Action, Caustic Soda
- Two Expert Declarations, Two Depositions

Lincoln Adventures, LLC, et al. v. Those Certain Underwriters at Lloyd's, et al.
Robbins Geller Rudman & Dowd LLP (2017–)

- Class Action, Insurance
- Three Expert Declarations, One Expert Report, 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. (2019–2022)

- 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
- Five Expert Reports, Two Depositions

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 (2018–2023)

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)

<u>Intellectual Property</u>
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 Morrow, 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

Econometrics in Litigation: Challenges at Class Certification, *Natural Resource Management and Policy*, *Modern Agricultural and Resource Economics and Policy: Essays in Honor of Gordon Rausser*, Springer, 2022, pp. 311-349

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 Group-level credit risk reporting software, using Oracle Relational Database Management System
- Passed financial regulator's exams in securities and derivatives

IT Consultant, Logica UK Ltd, 1997–1999
- Consultancy in energy, transportation, and defense sectors
- Database design, Oracle, C, SQL, Pro*C programming

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