

January, 2010

## **David G. Tucek**

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### **PROFESSIONAL EXPERIENCE**

I currently provide economic consulting services in tort actions involving personal injury, wrongful death and wrongful termination. Since May of 2005, I have been retained in over ninety cases as a named and unnamed expert. My practice is balanced between plaintiff and defense.

I have over twenty-five years experience as a professional economist in the transportation and telecommunication industries. Past duties included managing staffs ranging from two to seventeen individuals, developing general economic and customer demand forecasts, providing direct and rebuttal testimony in regulatory proceedings, withstanding oral cross examination, conducting technical workshops, and monitoring the discovery process.

### **TEACHING EXPERIENCE**

Taught graduate and undergraduate economics and statistics courses at the University of Phoenix.

Developed and delivered training seminars dealing with OLS regression analysis, probability and statistics, and the calculus of optimization.

Teaching assistant for an introductory microeconomics course at the University of Missouri for four semesters.

### **EDUCATION**

St. Louis University  
Master of Business Administration, May, 1996.

DePaul University  
12 Quarter Hours of Graduate Statistics, 1978.

University of Missouri  
MA, Economics, January, 1976.

Southeast Missouri State University  
BS, Mathematics and Economics, December, 1973.

## PROFESSIONAL AFFILIATIONS

American Academy of Economic and Financial Experts

Member of the Board of Directors, April, 2007 to present.

Special editor for the *Journal of Legal Economics*, December, 2008 to present.

Missouri Valley Economic Association

National Association for Business Economics

National Association of Forensic Economics

Reviewer, *Journal of Forensic Economics*.

Western Economic Association International

## FORENSIC ECONOMIC TESTIMONY

### Illinois

Deposition on behalf of the plaintiff in Thomas Hill vs. Castrol Industries, North America, Inc., et. al., Case No. 05-L328, Circuit Court of the Third Judicial Circuit, Madison County, Illinois, June, 2007.

Deposition on behalf of the plaintiff in Michael DeSherlia vs. Castrol Industries, North America, Inc., et. al., Case No. 05-L329, Circuit Court of the Third Judicial Circuit, Madison County, Illinois, June, 2007.

Telephonic deposition on behalf of the defendants in Stephanie K. Rydin v. Benito M. Camacho, M.D., et. al., Case No. 02-L283, Circuit Court of the Tenth Judicial Circuit, Peoria County, Illinois, May, 2006.

### Missouri

Testimony at trial on behalf of the plaintiff in Randall Francin vs. Mosby Inc., d/b/a Elsevier, Case No. 06CC-002188, Division No. 14, 21st Judicial Circuit Court of St. Louis County, Missouri. November, 2009.

Deposition on behalf of the plaintiff in Randall Francin vs. Mosby Inc., d/b/a Elsevier, Case No. 06CC-002188, Division No. 14, 21st Judicial Circuit Court of St. Louis County, Missouri. November, 2009.

Deposition on behalf of the plaintiff in Terrance D. Gallagher and Sue Ann Gallagher vs. Microsurgery and Brain Research Institute, P.C. and Gregory H. Bailey, M.D., Case No. 062-CC06861, Division No. 16, 22nd Judicial Circuit Court, City of St. Louis, Missouri. October, 2009.

Deposition on behalf of the plaintiff in Diane Walters, et. al., vs. Career Education Corporation, et. al., Case No. 07CY-CV07481, Division No. 1, 7th Judicial Circuit Court of Clay County, Missouri. August, 2009.

Deposition on behalf of the plaintiff in Juanita Combs v. Daveyfire, Inc., et. al., Case No. 06JE-CC00254, Division No. 2, 23rd Judicial Circuit of Jefferson County, Missouri. January, 2009.

Deposition on behalf of the plaintiff in Diane Walters, et. al., vs. Career Education Corporation, et. al., Case No. 07CY-CV07481, Division No. 1, 7th Judicial Circuit Court of Clay County, Missouri. December, 2008.

**FORENSIC ECONOMIC TESTIMONY (continued)**

Missouri (continued)

Testimony at trial on behalf the plaintiff in Mohamad Z. Alhalabi v. Missouri Department of Natural Resources, Case No. 06CC-001089, Division No. 12, 21st Judicial Circuit Court of St. Louis County, Missouri. July, 2008.

Deposition on behalf of the plaintiff in Shannon Robinson, et. al., vs. Unity Health Services d/b/a Unity Pharmacy St. Johns, et. al., Case No. 06CC-3907, Division No. 15, 21st Judicial Circuit Court of St. Louis County, Missouri. June, 2008.

Deposition on behalf of the plaintiff in Sharon Hillman, et. al., vs. Sunset Fireworks, et. al., Case No. CV303-8095-CC-J3, Division No. 3, 23rd Judicial Circuit Court, Jefferson County, Missouri. May, 2008.

Deposition on behalf of the plaintiff in J. David Thompson vs. St. Louis University, et. al., Case No. 052-08084, Division No. 22, 22nd Judicial Circuit Court, City of St. Louis, Missouri. March, 2008.

Deposition on behalf of the defendant in James R. Matzker vs. BNSF Railway Company, Case No. 0622-CCD6823, Division No. 20, 22nd Judicial Circuit Court, City of St. Louis, Missouri. February, 2008.

Deposition on behalf of the plaintiff in Leslie L. Edwards vs. Laura Jo Virostko, Case No. 07BA-CV00188, 13th Judicial Circuit Court, Boone County, Missouri. January, 2008.

Deposition on behalf of the defendant in Joe Burton vs. BNSF Railway Company, Case No. 06CC-002083, Division No. 20, 21st Judicial Circuit Court, St. Louis County, Missouri. November, 2007.

Deposition on behalf of the defendants in Tomas A. Figous vs. BNSF Railway Company and W-L-W Truck Leasing, Inc., Case No. 22052-09274, Division No. 11, 22nd Judicial Circuit Court, City of St. Louis, Missouri. September, 2007.

Deposition on behalf of the plaintiff in John Turcotte vs. Negwer Materials, Inc., Cause No. 06CC-001321, Division No. 3, 21st Judicial Circuit Court, St. Louis County, Missouri. July, 2007.

Testimony at trial on behalf of the defendants in Liliana Vilcu vs. Fehlig Brothers Lumber and Dennis Oxmann, Case No. 22062-00392, Division No. 13, 22nd Judicial Circuit Court, City of St. Louis, Missouri. July, 2007.

Deposition on behalf of the plaintiff in Aruna Rajagopalan vs. St. Louis University, Case No. 032-11013, Division No. 1, 22nd Judicial Circuit Court, City of St. Louis, Missouri. June, 2007.

Deposition on behalf of the defendant in Willis Robert Groves vs. The Beckwood Corporation, d/b/a Beckwood Press Company, Case No. 042-08314, Division No. 1, 22nd Judicial Circuit Court, City of St. Louis, Missouri. October, 2006.

Deposition on behalf of the plaintiff in Donald Magill and Stacy Magill vs. The United State of America, Case No. 4:05CV547 MLM, United States District Court for the Eastern District of Missouri, October, 2006.

**FORENSIC ECONOMIC TESTIMONY (continued)**

Missouri (continued)

Deposition on behalf of the plaintiff in William C. Prott vs. John P. Marbarger, Jr. M.D., Karen E. Frederick, St. John's Mercy Health System, d/b/a St. John's Mercy Medical Center, Charles H. Bowen, M.D., Western Anesthesiology Associates, Inc., Case No. 05CC-001300ECV-6, Division No. 3, 21st Judicial Circuit Court, St. Louis County, Missouri, September, 2006.

Deposition on behalf of the plaintiff in Shannon Robinson, et. al., vs. A & A Pain Institute, P.C., Edwin D. Dunteman, M.D., and Janet L. McEwen, RN, ANP, Case No. 05CC-000590, Division No. 3, 21st Judicial Circuit Court of St. Louis County, Missouri, May, 2006.

Deposition on behalf of the plaintiff in Russell Matthew Love vs. API Outdoors, Inc. k/n/a New Day Enterprises, Inc., Outland Sports, Inc. and Joseph Yerger, Case No. 03CV215842, Division No. 4, 16th Judicial Circuit Court of Jackson County, Missouri, May, 2006.

Filed testimony on behalf of the plaintiff in Stanger v. Smith & Nephew, Inc., et al., Case Number 4:04CV839 HEA, United States District Court for the Eastern District of Missouri, April, 2006.

Filed testimony on behalf of the plaintiff in Stanger v. Smith & Nephew, Inc., et al., Case Number 4:04CV839 HEA, United States District Court for the Eastern District of Missouri, November, 2005.

Filed testimony on behalf of the plaintiff in Stanger v. Smith & Nephew, Inc., et al., Case Number 4:04CV839 HEA, United States District Court for the Eastern District of Missouri, August, 2005.

**REGULATORY TESTIMONY**

Presented testimony at hearings and in deposition on sixty-four occasions before the state regulatory commissions in Alabama, Arkansas, California, Florida, Hawaii, Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, Nebraska, New Mexico, North Carolina, Ohio, Pennsylvania, Texas, Virginia, and Washington.

**PRESENTATIONS AND PAPERS**

- Oct-2009            “Calculating Survival Probabilities”, *Journal of Legal Economics*, 2009, Vol. 16(1), pp. 111-126.
- Oct-2009            Discussant, workshop dealing with the use of LPE and Markov Models to Estimate Work Life Expectancy, at the Fall Forensic Economic Workshop and Paper Session, Santa Fe, New Mexico.
- July-2009           Discussant, Western Economic Association International 84<sup>th</sup> Annual Conference, Vancouver, Canada.
- Mar-2009            Member, Business Practices Forum Roundtable, Twenty-first Annual Meeting of the American Academy of Economic and Financial Experts, Las Vegas, Nevada.

**PRESENTATIONS AND PAPERS (continued)**

- Oct-2008 Presentation entitled "Extracting Information from On-Line Annuity Quotes" at the Fall Forensic Economic Workshop and Paper Session, Salt Lake City, Utah.
- Mar-2008 Member, Business Practices Forum Roundtable, Twentieth Annual Meeting of the American Academy of Economic and Financial Experts, Las Vegas, Nevada.
- Oct-2007 & June-2007 Presentation entitled "Nominal, Real and Net Discount Rates: What's the Difference and Does it Make a Difference?" at Continuing Legal Education seminar held by the UMSL Center for Law and Forensic Economics.
- Jan-2007 Presented a paper, co-authored with Arthur Eubank, Jr., entitled "Expert Economic Testimony: Similarities and Differences in Regulatory and Civil Litigation Proceedings", at the Allied Social Science Associations Meeting, Chicago, Illinois.
- Oct-2006 Presented a paper entitled "Employment Status of the Civilian Noninstitutional Population by Educational Attainment, Age, Sex and Race" at the Fall Forensic Economic Workshop and Paper Session, Salt Lake City, Utah.
- Aug-2006 "Economic Damages Under House Bill 393", *Journal of the Missouri Bar*, July-August, 2006:214-221. (Co-authored with Thomas R. Ireland).
- Mar-2006 Presented a paper, co-authored with Thomas R. Ireland, entitled "Economic Damages Under House Bill 393" at the 18<sup>th</sup> annual meeting of the American Academy of Economic and Financial Experts.
- Oct-2005 Panel chair, Missouri Valley Economic Association Forty-Second Annual Meeting, for the National Association of Forensic Economics, "Forensic Economics Under Missouri's New Tort Reform Law".
- Sep-2005 "Missouri Tort Reform: Opportunities and Pitfalls for Forensic Economists", American Academy of Economic and Financial Experts' Fall Meetings.
- Jan-2004 Presented, as part of a panel, a two-day workshop covering Verizon's new loop cost model to the presiding Administrative Law Judge, California Staff and other parties in Rulemaking 93-04-003 and Investigation 93-04-002.
- Sep-2003 Presentation to presiding Administrative Law Judge, Washington Staff and other parties on compliance with 32nd and 39th Supplemental Orders in UT-03013.
- Jun-2001 Presentation on Verizon's TELRIC cost model made to Florida Staff and other parties in Docket No. 990649B-TP.
- Mar-2001 Presented overview of Verizon's cost filing to Illinois Staff in connection with Docket No. 00-0812.
- Jul-2000 Presented overview of Verizon's cost filing to Virginia Staff in connection with Case No. PUC000003.
- Jun-2000 Presentation to Ohio Staff on GTE's TELRIC cost model made in connection with Case No. 00-1186-TP-UNC.

**PRESENTATIONS AND PAPERS (continued)**

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| Feb-2000 | Seminar in San Juan, Puerto Rico, for representatives from the Puerto Rican Telephone Company, Dominican Republic Telecom, and CANTV on estimating long-run incremental costs to support tariff and other regulatory filings. |
| Jul-1998 | Presentation to Florida Staff and to interested industry participants on GTE's new TELRIC cost model.   |
| May-1998 | Presentation to Nebraska Commission on selecting inputs and modeling costs to determine Universal Service funding requirements in Application No. C-1633.   |
| Jan-1997 | Presented GTE's TELRIC costing methodology to Washington Staff and other parties in Docket Nos. UT-960369/370/371.  |
| Apr-1988 | Presented Contel's long-run usage cost model to Illinois Commerce Commission Staff and interested parties from GTE North Incorporated and Illinois Bell.  |
| Jun-1979 | Conducted training session on OLS regression analysis at the AAR's Uniform Rail Costing System seminar in Chicago, IL.  |