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EXPERIENCE

Econometrica, Inc. (2009-present)

Project manager and senior staff associate for a small private firm providing research, statistical analysis, economic evaluations, management consulting, and support services for clients in the private and public sectors. Assignments include regulatory impact analysis, survey design and administration, statistical evaluation of programs and proposals, and development and maintenance of information and databases for regulatory proceedings.

Independent Analysis, Inc. (1998-present)

President and principal analyst for small consulting firm specializing in economic and statistical research and analysis, database development, and preparation of articles, reports, and presentations. Consulting engagements have included preparation of economic impact and damages analyses and testimony for litigation and regulatory proceedings; research and statistical analysis of company, industry, and economy-wide data and trends in the electricity and telecommunications sectors; economic and statistical analysis of Internet-related policies; and quantitative analysis of product safety, risk, recall, and liability issues.

→ Recent major projects in **economic and statistical research and analysis** include:

- Processing and statistical analysis of Energy Information Administration (EIA) data on electricity sales, prices, fuel costs, and fuel source shares. Co-authored and edited "Evaluating the Effects of Wholesale Electricity Restructuring", a paper presenting the results of this research.
- Compiling, abstracting, and illustrating trends and statistics on Internet and computer usage, telecommunications, e-commerce, and the economic impact of the high-tech sector for the *Digital Economy Fact Book*.
- Analyzing economic impact, costs imposed on consumers, and net health benefits of proposed changes in EPA rodenticide use regulations.

- Developing estimates of state-level economic and fiscal effects from mandating the collection of sales and use taxes for remote purchases under the Streamlined Sales and Use Tax Agreement (SSUTA).
- Assessing the quantitative determinants of inter-city differences in the proportion of adults using the Internet.
- Review of SEC filings to determine insider-trading profiles for publicly listed competitive local exchange carriers (CLECs).

→ Recent major assignments in **product safety and risk assessment** include:

- Analysis of National Fire Incident Reporting System (NFIRS) and National Fire Protection Association (NFPA) data on the presence, activation, and failure profiles of sprinkler systems and fire hydrants.
- Creation of product risk assessments, hazard profiles, and future incident projections to provide analytical foundations to inform and support corporate recall reporting and corrective action program decisions.
- Developing estimates of product population, use, and injury/fatality risk for all-terrain vehicles (ATVs) on behalf of the ATV Common Interest Group (CIG). This analysis was developed in cooperation with Consumer Product Safety Commission (CPSC) statistical staff; estimates based on our methodology and results have been used to estimate ATV risk in CPSC annual updates.
- Design and analysis of recall program regulatory submissions, consumer notification options, advertising placements, and effectiveness rate projections for several high-profile product manufacturers on a confidential basis.
- Developing annual estimates of fixed-site amusement ride injuries using industry surveys commissioned by the International Association of Amusement Parks and Attractions (IAAPA). This research was published in the National Safety Council (NSC) newsletter, Injury Insights.
- Preparing hazard analyses and risk assessments for a wide variety of products used in consumer and occupational applications, including heating, ventilation, and air conditioning (HVAC) equipment, ladders, major appliances, and power tools. The results of one HVAC hazard analysis were presented at a January 2003 meeting of a National Electrical Code (NEC) code revision panel.
- Producing a report summarizing research available on consumer motivation and response issues relating to product recalls, under a contract from the CPSC.

Key topics included safety message filtering, comprehension, and retention; the factors that influence risk perception and acceptance; and the impact of time, money, and inconvenience costs on the willingness to comply.

→ Recent major assignments in **antitrust economics and economics damages analysis** include:

- Analysis of the economic losses incurred by plaintiff as a result of vendor interference in a federal health services contract.
- Estimation of the economic damages sustained by plaintiffs from abrogation of a subcontracting agreement to provide hospital cleaning services.
- Development of class certification opinions and calculation of overcharges borne by direct purchasers and end users of antibiotics and oral contraceptives resulting from anticompetitive agreements between brand and generic drug manufacturers.
- Development of estimates of cell site installations, power generation facilities, and electric substations requiring high-voltage protection equipment; calculation of lost sales and profits arising from restraints placed on this market by a major telecommunications firm.
- Modeling the growth of competitive suppliers of genuine automobile parts in the absence of restraints on dealer purchases; calculation of lost sales and profits arising from restraints placed on this market by automobile manufacturers and distributors.
- Defining the product and geographic market for hospital-based physician services; demonstrating that an exclusive contract at two hospitals for provision of these services did not unduly restrain competitive provision of these services in the relevant market.

Heiden Associates, Inc. (Employed 1990-1998; Contractor 1998-2009)

Senior research associate for economic consulting firm specializing in providing microeconomic and statistical analysis for litigation support and regulatory proceedings. Major litigation support assignments in product safety and risk assessment included development of hazard analyses and risk profiles for a wide variety of products used in consumer and occupational applications, including major appliances, power tools, recreational activities, juvenile products, and home furnishings. Major assignments in economic analysis included development of expert testimony and affidavits on class certification, market definition, and calculation of economic damages for antitrust, franchise, contract, and real estate

litigation. Major regulatory assignments included analysis and development of testimony on postal cost allocation and rate structure issues; product population and price elasticity estimates, emissions inventories, and economic impact analysis for portable two-stroke power equipment; and compliance cost and regulatory impact estimates for methylene chloride.

Kleinfeld, Kaplan & Becker (1989)

Independent contractor to law firm specializing in food and drug regulation. Work included serving as database manager and document analyst, building and maintaining document record databases in support of major patent litigation.

Resources for the Future/Bureau of Business and Economic Research (1987-1988)

Primary research assistant and programmer for National Science Foundation-supported study of the benefits of setting ambient air quality standards at the local level. Work included development of valuations of reduced levels of adverse health effects and other potential benefits from projected air quality improvements in two cities under market-based incentive and command & control scenarios.

Department of Economics, University of Maryland, College Park (1986-1989)

Taught intermediate and introductory level courses in microeconomic theory, macroeconomic theory, and money and banking as adjunct instructor.

U.S. Small Business Administration (1986-1987)

Independent contractor providing data processing and programming services in support of employment research programs. Built data sets to track changes in business structure, ownership and location using unemployment insurance system records.

Department of Economics, University of Maryland, College Park (1985-1986)

As graduate research assistant, worked with faculty member conducting research on the impact of neighborhood socioeconomic characteristics on the cost of providing various local public services.

Office of Surface Mining, U.S. Department of the Interior (1984, 1985)

As summer-hire case reviewer, reviewed agency files and violator records to determine appropriate actions required to enforce laws and regulations governing reclamation of strip mine sites. Compiled data on violator files lacking proper documentation on abatement status.

EDUCATION

Ph.D. Candidate in Economics, University of Maryland, College Park, 1986.

Passed comprehensive Ph.D. examinations in macro- and microeconomic theory, public finance, and environmental and natural resource economics. Advanced course work in urban and labor economics, econometrics, and public sector program analysis and management.

B.A., Political Science, Duke University, graduated magna cum laude, 1980.

MEMBERSHIPS AND AWARDS

American Economic Association

American Statistical Association

Departmental Awards for Teaching Excellence, Department of Economics, University of Maryland, 1984 and 1988

President's Award for Contribution to Nuclear Medicine, American College of Nuclear Physicians, 1998

TESTIMONY AND PRESENTATIONS IN REGULATORY PROCEEDINGS

1. "Impact on Consumers of EPA's Proposed Risk Mitigation Determination for Rodenticides", with Lawrence Cullen, Rick Kingston, and Eileen Mayer, presentation to the Environmental Protection Agency on behalf of Reckitt Benckiser, May 7, 2007.
2. "Room Air Conditioner Power Cord Protection", with William Keezer, presentation to NEC Code Making Panel #11 on behalf of the Association of Home Appliance Manufacturers, January 22, 2003.
3. "Price Elasticity Estimates for Three Major Categories of Portable Two-Stroke Power Equipment", for the Portable Power Equipment Manufacturers Association, before the Environmental Protection Agency, June 27, 1995.
4. "The Cost-Effectiveness and Small Business Impact of OSHA's Proposed Regulatory Standards for Methylene Chloride," for the Halogenated Solvents Industry Alliance, before the Occupational Safety and Health Administration, September 18, 1992.

PUBLICATIONS AUTHORED/COAUTHORED

1. "Evaluating the Effects of Wholesale Electricity Restructuring", with Thomas Lenard, Technology Policy Institute, September 2008.
2. The Digital Economy Fact Book, with Daniel Britton, The Progress and Freedom Foundation (9th edition, December 2007).
3. "The Streamlined Sales Tax Project: An Initiative Whose Time has not Come", with Thomas Lenard, Milken Institute Review (2nd Quarter 2005).
4. "Taxation of Online Sales: Competing with the Streamlined Sales Tax Project", with Thomas Lenard, *Progress on Point: Periodic Commentaries on the Policy Debate*, release 11.16, The Progress & Freedom Foundation, September 2004.
5. Recall Effectiveness Research: A Review and Summary of the Literature on Consumer Motivation and Behavior, a Heiden Associates/XL Associates report prepared for the U.S. Consumer Product Safety Commission, CPSC Order No. CPSC-F-02-1391, Contract No. GS23F9780H, July 2003.
6. "2001-2002 Fixed-Site Amusement Ride Injury Survey Analysis", with Edward Heiden, in Injury Insights, National Safety Council Research and Statistical Services, June/July 2003.
7. "Quantifying the Economic and Demographic Factors Affecting Internet Connectivity", with Thomas Lenard, in Cities Online: Urban Development and the Internet, The PEW Internet and American Life Project and the Progress and Freedom Foundation, November 2001.
8. The Digital Economy Fact Book, with Jeffrey Eisenach and Thomas Lenard, The Progress and Freedom Foundation (3rd edition, August 2001 and 2nd edition, August 2000).
9. "Stand-Alone Costs, Ramsey Prices, and Postal Rates", with Thomas Lenard and Monica Bettendorf, Journal of Regulatory Economics, vol. 4 (September 1992).

ECONOMIC DAMAGES ASSESSMENTS/REPORTS AUTHORED/COAUTHORED

1. Initial estimate of damages sustained by Plaintiff in Infection Control Consultation Services, Inc. (ICCSI) v. GlaxoSmithKline (GSK), submitted December 12, 2008 – deposition testimony, January 15, 2010.

2. Initial estimate of damages sustained by Plaintiffs in Fresh Air Duct Cleaning, LLC & Stanley Neal, Jr. v. Wilson Technologies, Inc., et. al., submitted July 10, 2008.
3. Declaration of Edward J. Heiden on class certification issues in re: Ovcon-35 Antitrust Litigation, Stephanie Cohen et. al. v. Warner Chilcott et. al., July 28, 2006.
4. Preliminary damages assessment, in the matter of RLH Industries v. Southwest Bell Communications, July 23, 2004 (deposition testimony of Edward J. Heiden, no report filed).
5. Defendant/Counter-plaintiff's Damages Assessment, in the matter of Nissan North America et. al. v. Europacific Parts International, Inc. et. al., March 15, 2004 (supplemental expert report).
6. Expert Witness Report on antitrust and market definition Issues, in the matter of Carolyn G. Kochert, MD v. Greater Lafayette Health Services, Inc. et. al., December 1, 2003.
7. Declaration of Edward J. Heiden on class certification issues in re: Ciprofloxacin Hydrochloride Antitrust Litigation, Louisiana Wholesale Drug Co. et. al. v. Bayer Corporation et. al., July 18, 2002 (filed under seal).
8. Defendant/Counter-plaintiff's Damages Assessment Report, in the matter of Lucas Industries, PLC, et. al., v. Kendiesel, Inc., et. al., July 16, 1996 (amended report).
9. Critique of report filed by plaintiff's expert Charles de Seve in Hall and Andrews v. Shaw, Pittman, Potts and Trowbridge, November 13, 1995.
10. Preliminary damages estimate, in the matter of Bert Scott v. PCA Microsystems, Inc., et. al., September 9, 1994.
11. Evaluation of net economic benefits of membership for Consumer Buyline, Inc., in support of testimony of Edward J. Heiden before the Virginia State Securities Commission, May 1993.
12. Plaintiff's Damages Assessment Report, in the matter of Faith Construction, et. al. v Jones & Artis Construction, et. al., December 11, 1992.
13. Damages Assessment, in the matter of Scottish Heritable Trust, PLC et al. v. Peat Marwick Main & Co. et. al., October 2, 1992.

REGULATORY STUDIES AUTHORED/COAUTHORED (Selected List)

1. "Economic Assessment of EPA Proposed Rodenticide Risk Mitigation Decision", for Reckitt Benckiser, May 16, 2007 (filed with the Environmental Protection Agency).
2. "Price Elasticity Estimates for Three Major Categories of Portable Two-Stroke Power Equipment", for the Portable Power Equipment Manufacturers Association, June 26, 1995 (filed with EPA).
3. "Economic Analysis of Proposed Toxic Substances Control Act Pre-manufacture Notification Rule Amendments," for the Chemical Manufacturers Association, June 24, 1993 (filed with EPA).
4. "Portable Two-Stroke Power Equipment Emissions in the United States," for the Portable Power Equipment Manufacturers Association, February 26, 1993 (filed with EPA).
5. "The Cost-Effectiveness and Small Business Impact of OSHA's Proposed Regulatory Standards for Methylene Chloride," for the Halogenated Solvents Industry Alliance, August 24, 1992 (testimony before the Occupational Safety and Health Administration).
6. "Proposed Data Collection and Analysis for Mine Safety and Health Administration Diesel Particulate Rulemaking," for the American Mining Congress, July 8, 1992 (filed with the Mine Safety and Health Administration).
7. "Estimates of 24 Non-Attainment Area Portable Two-Stroke Power Equipment Populations Based on Industry Shipments Data and Four Alternative Activity Models", for the Portable Power Equipment Manufacturers Association, October 1991 (filed with EPA).
8. "An Analysis of the Costs and Economic Impact of the Proposed CARB Emissions Standards for Portable Two-Stroke Power Equipment", for the Portable Power Equipment Manufacturers Association, December 6, 1990 (filed with the California Air Resources Board).
9. "A 1989 California Baseline Emissions Inventory for Total Hydrocarbon and Carbon Monoxide Emissions from Portable Two-Stroke Power Equipment", for the Portable Power Equipment Manufacturers Association, July 24, 1990 (filed with the California Air Resources Board).
10. "Analysis of Selected Issues Raised by the CONSAD Report on the Draft OSHA Regulatory Standard for Methylene Chloride", for the Halogenated Solvents Industry Alliance, April 30, 1990 (filed with OSHA).

TELECOMMUNICATIONS INDUSTRY RESEARCH

(Titles and client identities have been redacted to preserve confidentiality)

1. "Insider Sales for Selected Telecom Companies", analysis included in "The Economics of the Telecom Meltdown" by Thomas Lenard, Progress on Point, release 9.6, February 2002.
2. "Financial Data for CLEC Acquisition Candidates", November 2001.
3. "First Tier ILEC Acquisition Candidates–Market and Financial Data", August - November 1999.

RECENT PRODUCT SAFETY/RISK STUDIES AUTHORED/COAUTHORED

(Some titles and client identities have been redacted to preserve confidentiality)

1. "Projected Effectiveness and Costs for the Clow Upper Stem Replacement Program and an Alternative Hydrant Repair Approach", analysis in support of the expert report of Edward Heiden, PhD submitted on behalf of Chevron Corp. in litigation, April 29, 2008. Estimated the number of hydrant repairs and program costs under two alternative corrective action programs.
2. "(Power Saw) Injuries in the 2002-2006 CPSC NEISS and IDI Databases", prepared for outside counsel to a Fortune 500 company, November 2007. Developed comprehensive hazard profile associated with power saw injuries based on analysis of reports on accident investigations conducted by Consumer Product Safety Commission (CPSC) staff and contractors.
3. "Assessment of Risk Associated with Monkey-Bars-over-Swings (MBOS) Configurations", submitted to the ASTM F15 Committee, July 31, 2007. Evaluated injury rates and hazard patterns associated with various types of playground equipment based on incident reports from the Consumer Product Safety Commission (CPSC) hazard monitoring databases.
4. "Heelys Shoe Risk vs. Risks from Other Sports and Recreational Activities", analysis prepared on behalf of Heeling Sports Ltd., updated in April 2007. Developed injury rate estimates and comparisons using incident reports from the Consumer Product Safety Commission (CPSC) hazard monitoring databases and sports participation estimates derived from annual National Sporting Goods Association (NSGA) surveys.
5. "Residual Fire Risk Analysis", submitted to the CPSC, November 2006. Assessed the projected future impact of potential component failures in fire suppression systems using data from the National Fire Incident Reporting

System (NFIRS) structure fire database and research on fire suppression performance conducted by the National Fire Protection Association (NFPA) analysts.

6. "Review and Analysis of the Health Effects Associated with Exposures to Misbranded Chemicals", submitted to the Consumer Product Safety Commission (CPSC), February 2006. Developed annual estimates of poisoning cases and serious incidents associated with a comprehensive inventory of chemical products used in household and educational settings.
7. "Shock Hazard Analysis for (Client Portable Appliance)", prepared for outside and in-house counsel to a Fortune 500 company, September 2005. Estimated shock injury and fatal injury rates for small portable appliances and other household products.
8. "The 2004 (Client Product) Recall Outreach Effort: Program Achievements in Consumer Notification and Response", submitted to the (CPSC), March 2005. Compiled information on program coverage and analyzed response data to document level of recall effectiveness achieved.
9. "Projected Take Rates for (Recall) Program for North America and Other Regions" and "Projected Time Profile of (Recall) Program Participation", prepared for product liability counsel to a Fortune 500 company, December 2004. Developed projected response rates for different demographic groups of product users and levels of notification received; estimated time-profile of response for users notified by each communication channel.
10. "(Component) Involvement in (Portable Appliance) Fires", draft report prepared on behalf of a major industry association for submission to NEC Code Panel #17, October 2003. Reviewed, coded, and analyzed data from the National Fire Incident Reporting System (NFIRS) residential structure fire incident database and CPSC incident investigation reports.
11. "(Equipment) Related Injuries and Fatalities in Consumer and Occupational Applications", prepared for in-house counsel to a Fortune 500 company, August 2003. Reviewed, summarized, and analyzed data from four major CPSC hazard monitoring databases, three major occupational hazard monitoring data sources, and national fatality database tables.
12. "Analysis of Occupational Injury Risk Associated with (Power Tool)", prepared in support of expert testimony in litigation involving a Fortune 500 company, June 2003. Presented and analyzed injury data from the Bureau of Labor Statistics (BLS) and industry sales and use estimates.

13. "Comparative Risk Analysis for (Industrial Equipment)", prepared in support of expert testimony in litigation involving a Fortune 500 company, May 2003. Prepared and presented estimates of injury risk involved in a wide range of consumer products and recreational activities using CPSC injury estimates, product sales and usage data collected from a variety of sources, and activity participation data from the National Sporting Goods Association (NSGA).
14. "Comparative Recall Analysis of (Company) and Seven Selected Competitors", prepared for a Fortune 500 company, December 2002. Compiled data on recalls from four U.S. government agencies and international authorities in Canada, the United Kingdom, France, Australia and Hong Kong; developed estimates of brand-space and product sales for each company from public reports and industry trade sources.

NUCLEAR MEDICINE PROFICIENCY TESTING PROGRAM REPORTS

Studies sponsored by Society of Nuclear Medicine

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| 2000 | Quantitative Cardiac SPECT, with Terence Beven, MD and W. J. MacIntyre, PhD |
| 1999 | 3-D Lung study, with Myron Pollycove, MD |

Studies sponsored by American College of Nuclear Physicians

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| 1998 IM-A | Myocardial perfusion, with Terence Beven, MD |
| 1998 IM-B | Mammoscintigraphy, with Lt. Col. Sue Abreu, MD. |
| 1997 IM-A | Skeletal study, with Nilo Herrera, MD and Thomas Halpin, CNMT |
| 1997 IM-B | Medium-energy SPECT QC, with Edward Smith, ScD and Paul Christian, CNMT |
| 1996 IM-A | Stress/rest Myocardial Perfusion, with Lt. Col. Sue Abreu, MD and Myron Pollycove, MD |
| 1996 IM-B | Renal SPECT/planar study, with Robert Kraft, MD and W.J. MacIntyre, PhD |
| 1995 IM-A | SPECT Quality Control, with W. J. MacIntyre, PhD, Edward Smith, ScD, and Paul Christian, CNMT |
| 1995 IM-B | Spinal Bone – SPECT and planar, with Nilo Herrera, MD and Thomas Halpin, CNMT |
| 1994 IM-A | Geometric Receiver Operating Characteristic analysis, with George Hermann, MD, Frank DeLand, MD, and Bennett Greenspan, MD |
| 1994 IM-B | Cardiac SPECT analysis, with Terence Beven, MD and Russell Briere, MD |