

William R. Legier, CPA, CFE, CFF



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CURRICULUM VITAE

FIRM NAME AND ADDRESS:

LEGIER & COMPANY, *apac*

Forensic and Investigative CPAs
Energy Centre, 34th Floor
1100 Poydras Street
New Orleans, LA 70163

Telephone Numbers:

(504) 599-8300 Direct
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SUMMARY OF QUALIFICATIONS:

Thirty-four years of successful accounting experience. Certified Public Accountant, Certified Fraud Examiner with advanced standing, high level corporate background, extensive testimony in Federal and State Courts for leading national law firms and Fortune 500 companies in areas including calculating and refuting financial damages including lost profits (business interruption), fraud detection and recovery, mismanagement, appointment of receivers, business valuations, shareholder disputes, evidence of ownership, identification of hidden assets, corporate veil piercing, analysis and explanation of complex financial transactions, bankruptcies, forensic accounting, accounting malpractice and marital dissolutions.

EDUCATION:

LOUISIANA STATE UNIVERSITY - Baton Rouge, Louisiana

Bachelor of Science Degree, 1970

Major: Accounting

Minor: Business Administration

Member, Beta Alpha Psi - Honorary Accounting Fraternity

CERTIFIED PUBLIC ACCOUNTANT – 1974

CERTIFIED FRAUD EXAMINER – 1991

CERTIFIED IN FINANCIAL FORENSICS – 2008

CONTINUING PROFESSIONAL EDUCATION - (approximately 40+ hours per year) on the topics including the following:

- Fraud Auditing and Investigation
- Forensic Accounting
- Business Valuation
- Business Planning and Consulting
- Family Business Management
- Litigation/Expert Witness Services
- Calculating and Refuting Damages from Lost Profits
- Personal Financial Planning
- Federal Income Taxes
- Financial Aspects of Historic Preservation
- Income Tax Planning
- Management Advisory Services
- Preparation of Prospective Financial Statements

EMPLOYEE HISTORY:

LEGIER & COMPANY, apac

Forensic and Investigative CPAs - New Orleans, Louisiana - 1984 to present.

MANAGING DIRECTOR

Responsible for the management and coordination of the firm's operations, finance, marketing, and research and development, including accounting, auditing, tax and management advisory services divisions.

McDONALD SALES CORPORATION - New Orleans, Louisiana, 1975 to 1983.

VICE PRESIDENT, FINANCE - OPERATIONS

Responsible for all financial and operating aspects of this privately-owned \$100 million group of diversified companies in fields such as:

- Wholesale distribution of major appliance brands including RCA, Litton, White-Westinghouse, Tappan and Burlington House
- Direct mail order sales of the Oreck Vacuum Cleaner products to over one million customers throughout the United States

EMPLOYMENT HISTORY: (Continued)

McDONALD SALES CORPORATION (continued) –

- Retail sales of Oreck Vacuum Cleaner products through regional company- owned stores
- Manufacturing and direct mail order sales of Viking clocks
- Retail sales of Viking clocks through company-owned retail stores
- Real Estate acquisition, development and management
- Private safe deposit vault operations
- Commercial financial services (floor plan financing to wholesale customers)
- Captive advertising agency operations
- Responsibilities included supervision of over 150 employees through 8 to 10 departmental managers in the following areas:
 - Corporate accounting and finance including financial reporting, budgeting, forecasting and long range strategic planning and tax compliance
 - Treasury functions including cash management, maintenance of investments portfolio and banking relations
 - Vendor financial relations
 - Business Information Technology including selections and development of computer hardware and software, systems design and installation
 - Product manufacturing and distribution through several facilities within the Gulf South Region
 - Acquisition and start up of new corporate entities
 - Establishment of corporate credit policies, procedures and objectives
 - Personnel management including hiring and dismissal of personnel, labor relations matters and executive and management incentive based compensation program development and implementation
 - Establishment and maintenance of corporate insurance portfolio
 - Employee benefit plan development and administration including investment of funds through bank trustee
 - Development and maintenance of the employee benefit handbook
 - Asset acquisition, disposition and related financing

EMPLOYMENT HISTORY: (Continued)

LOUISIANA NEWS COMPANY - New Orleans, Louisiana - 1973 to 1975.

VICE PRESIDENT, GENERAL MANAGER; VICE PRESIDENT, FINANCE; CONTROLLER

Responsible for all financial and operating aspects of the company in the following areas:

- Wholesale distribution of major national and international publishers of paperback books and periodicals through drugstore, grocery, department stores, newsstands, etc.
- Wholesale distribution for major publishers of phonograph records and tapes to record stores, department stores and U.S. Government P.X. operations, etc.
- Retail sales of phonograph records and tapes
- Responsibilities also included all of those noted above for McDonald Sales Corporation except:
 - Manufacturing operations
 - Real estate development projects
 - Employee benefit plans

ARTHUR ANDERSEN & COMPANY - New Orleans, Louisiana - 1970 to 1973.

SENIOR ACCOUNTANT

Responsible for audits of various privately held and publicly traded companies, preparation of audit reports, management advisory letters and corporate income tax returns.

BOARDS, COMMITTEES, PROFESSIONAL MEMBERSHIPS AND AWARDS:

- NOCCA Institute (New Orleans Center for Creative Arts)
 - President
 - Executive Committee and former Treasurer
- Northwestern State University
 - Dean's Executive Advisory Board
- New Orleans Pro Bono Project Broad Member
- Volunteers of America of Greater New Orleans
 - Board Member, Treasurer and Chairman
 - Audit and Finance Committee, 1988-1991
- International Hospital for Children
 - Board Member, Treasurer and President, 1988 – 1995
- Metairie Park Country Day School
 - Board Member and Secretary - Dads' Club, 1988 – 1990
 - Chairman of Associates Annual Fund Raising Campaign, 1987 – 1988

BOARDS, COMMITTEES, PROFESSIONAL MEMBERSHIPS AND AWARDS:
(Continued)

- The Village at Henderson Point
Board Member, Treasurer and President, 1990 - 1994
- New Orleans Speech and Hearing
Board Member and Treasurer, 1988 - 1994
- United Way of Greater New Orleans
Co-Chairman - Needs Assessment Committee, 1983 - 1984
- American Institute of Certified Public Accountants – Member
- Society of Louisiana Certified Public Accountants – Member
- National Forensic Center – Member
- National Association of Certified Fraud Examiners
Member in Advanced Standing
- National Academy of Expert Witnesses, Inc., Member
- The American Board of Forensic Examiners, Member
- Louisiana Advisory Board of the American Automobile Association
Board Member, 1995 - 1997
- Tulane University, A.B. Freeman School of Business
Family Business Forum - Advisory Council – Member, 1995 - present
- University of New Orleans
Advisory Board, Entrepreneurship Program, 1995 - present
- The Chamber/New Orleans and the River Region
Executive Committee, Small Business Council, 1995 - 1996
- The Chamber/New Orleans and the River Region
Governmental Affairs Committee, 1996
- The Chamber/New Orleans and the River Region
Small Business Champion Award, 1994
- The Chamber/New Orleans and the River Region
Board of Directors, 1999 – present
- The Chamber/New Orleans and the River Region Treasurer
- U.S. Small Business Administration
State of Louisiana, Accountant Advocate Award, 1995
- National Directory Who's Who
Selected as Honored Member, 1994 – 1995
- Young Leadership Council (YLC) of Greater New Orleans
- Selected Role Model, 1996
- Louisiana Small Business Development Center
Advisory Council Member, 1996
- Crimestoppers, Board of Trustees, 2002
- American Institute of Certified Public Accountants Steering Committee
National Restaurant Conference

LECTURES AND SPEECHES:

Topics including accounting, finance, business planning, business valuation, incentive based compensation planning, managing a growing business, fraud and forensic accounting, tax planning, exiting your business, and business information technology to groups sponsored by:

- IBM
- RCA
- American Institute of Certified Public Accountants
- Louisiana State University
- The Equitable Life Insurance Company
- United States Bankruptcy Court Trustees
- The Roundtable Club
- The Institute of Internal Auditors
- Ochsner Medical Foundation
- New Orleans Metropolitan Association of Realtors, Inc.
- National Association of Insurance Commissioners (NAIC)
- The Chamber, New Orleans/River Region – Venture Network
- University of New Orleans
 - School of Business
 - Metropolitan College
 - School of Hotel and Restaurant Management
 - Small Business Development Center
- Tulane University
 - A.B. Freeman School of Business
 - Levy-Rosenblum Family Business Institute
 - Tulane Law School
- The New Orleans Times-Picayune* Money Watch Live

EXPERT WITNESS QUALIFICATIONS:

Qualified as an Expert Witness in the fields of certified public accounting, management and financial consulting, business valuations, determination of lost profits, evidence of ownership from an accounting standpoint and the financial analysis of privately-held businesses with testimony in cases before the:

Federal Districts:

- United States District Court - Middle District of Louisiana
- United States District Court - Eastern District of Louisiana
- United States District Court - Middle District of Georgia
- United States Bankruptcy Court - Eastern District of Louisiana
- United States Bankruptcy Court - Western District of Louisiana
- United States Bankruptcy Court - Northern District of California

EXPERT WITNESS QUALIFICATIONS: (Continued)

State Districts:

- Civil District Court - Orleans Parish, Louisiana
- Civil District Court - Jefferson Parish, Louisiana
- Civil District Court - East Baton Rouge Parish, Louisiana

Others:

- American Arbitration Association
- Appointed by the 24th Judicial District Court of Jefferson Parish as the Court's Expert

CONTRIBUTING AUTHOR AND PUBLISHER:

- "Financial Alert" newsletters
- A. B. Freeman School of Business newsletter "EntrepreNews"

LITIGATION SERVICES – EXPERT WITNESS CASES & MATTERS:

- The Exxon Corporation - Determination of Business Lost Profits – Frilot, Partridge, Kohnke & Clements, Attorneys At Law - New Orleans, Louisiana
- Merrill Lynch and Company - Rebuttal of Damage Calculation and Forensic Accounting, Fast Food Restaurant Industry - Maynard, Cooper & Gale, P.C, Attorneys At Law - Birmingham, Alabama
- Georgia Coast Partners - Fraud and Forensic Accounting – Real Estate Investments - Bouhan, Williams & Levy, Attorneys At Law - Savannah, Georgia
- Zapata Gulf Marine, Inc. - Anti-trust/Forensic Accounting/ Business Lost Profit Determination, Marine Transportation Industry - Lemle & Kelleher, LLP, Attorneys At Law - New Orleans, Louisiana
- Mellon Financial Services - Lender Liability/Forensic Accounting, Business Lost Profits Financial Services/Real Estate Development Industry - Reed, Smith, Shaw & McClay, Attorneys At Law – Pittsburgh, Pennsylvania
- CXY Chemicals, U.S.A./Occidental Petroleum – Business Lost Profit/Business Interruption Claim, Chemical Manufacturing Industry – Carver, Darden, Koretzky, Tessier, Finn, Blossman & Areaux, LLC, Attorneys At Law – New Orleans, Louisiana

LITIGATION SERVICES – EXPERT WITNESS CASES & MATTERS: (Cont'd)

- Commissioner of Insurance, State of Florida - Guarantee Security Life Insurance Company and Western Pacific Life Insurance Company - Securities Fraud, Marine Construction Industry – Federal Court, Dallas - Foley & Lardner, Attorneys At Law – Milwaukee, Wisconsin
- Volunteers of America - Forensic Accounting, Not for Profit Industry– New Orleans, Louisiana
- Ocean Drilling & Exploration Company (ODECO) - Forensic Accounting, Petrochemical Industry
- Freeport McMoran, Inc. – Joint Venture Expense Allocation, Mining Industry – Jones, Walker, Waechter, Poitevent, Carrère & Denègre, Attorneys At Law - New Orleans, Louisiana
- North River Insurance Company - CPA Professional Liability/Forensic Accounting, Public Accounting/Agriculture Industry – Preis & Crawford, Attorneys At Law - Baton Rouge, Louisiana
- Mossy Motors, Inc. – Determination of Business Lost Profit – Frilot, Partridge, Kohnke & Clements, Attorneys At Law – New Orleans, Louisiana
- Various Bankruptcy Trustee in Forensic Accounting and Fraud Matters before United States Bankruptcy Court - Eastern District of Louisiana
- Texaco (Star Enterprise) - Determination of Business Lost Profit – Roedel, Parsons, Hill & Koch, Attorneys At Law – Baton Rouge, Louisiana
- First Trust/Biloxi Belle Casino – Valuation in connection with Reorganization/Bankruptcy, Gaming Industry - Oppenheimer, Wolff & Donnelly, Attorneys At Law - Minneapolis, MN
- First National Bank of Jefferson (FNJ)- Lender Liability, Complex Financial Transactions Assessment, Business Lost Profit Determination and Forensic Accounting, Chemical & Health Care Industry - McGlinchey, Stafford & Lang, Attorneys at Law – New Orleans, Louisiana
- Levitz Furniture Corporation – Determination of Business Lost Profit – Deutsch, Kerrigan & Stiles, Attorneys At Law – New Orleans, Louisiana
- Que Sera - Stockholders Derivative Action, Stock Ownership and Forensic Accounting, - Satterlee, Mestayer & Freeman, Attorneys At Law, New Orleans, Louisiana
- Mellon Financial Services - Business Lost Profit Determination; Lender Liability; Forensic Accounting -Shushan, Meyer, Jackson, McPherson & Herzog, Attorneys At Law – New Orleans, Louisiana
- Lemann, O'Hara & Miles, Attorneys At Law - Bank and Corporate Forensic Accounting, Financial Services Industry – New Orleans, Louisiana

LITIGATION SERVICES – EXPERT WITNESS CASES & MATTERS: (Cont'd)

- Dorion Fleming - Forensic Accounting in connection with alleged mismanagement by major bank trust department - Lowe, Stein, Hoffman, Allweiss & Hauver, Attorneys At Law – New Orleans, Louisiana
- National Union Fire Insurance Company of Pittsburgh, PA/Louisiana Wholesale Grocers - Officers and Directors Liability/Forensic Accounting, Wholesale Grocery Distributors – McGlinchey, Stafford & Lang, Attorneys At Law – New Orleans, Louisiana
- U.S. Justice Department - Valuation of Covenant not to Compete, Health Care Industry – Washington, DC
- Omnitech International, Inc. (vs. Clorox Company) - Business Lost Profit Determination, Chemical Industry – Amato & Creely, Attorneys At Law - New Orleans, Louisiana
- E.I. du Pont de Nemours & Company - Business Lost Profits, Textiles Industry - Abbott, Best & Meeks, Attorneys At Law – New Orleans, Louisiana
- First Trust/Treasure Bay Casino – Valuation in connection with Reorganization/Bankruptcy, Gaming Industry, Oppenheimer, Wolff & Donnelly, Attorneys At Law - Minneapolis, MN
- Public Investors, Inc. - Breach of Fiduciary Responsibility/Forensic Accounting, Insurance Industry - Adams & Reese, Attorneys At Law – New Orleans, Louisiana
- Murphy Oil Company - Rebuttal of Plaintiffs' Damages and Corporate Veil Piercing Issues - Frilot, Partridge, Kohnke & Clements, Attorneys At Law – New Orleans, Louisiana
- Kirby Industries, Inc. - Corporate Veil-Piercing/Environmental issues, Marine Construction Industry – Lemle & Kelleher, Attorneys At Law – New Orleans, Louisiana
- Camp, Dresser, McKay – Lost Profit – Lemle & Kelleher, Attorneys At Law – New Orleans, Louisiana
- Brown Shoe Company, Galveston, Texas – Lost Profit - US District Court -Foley & Lardner, Attorneys at Law - Milwaukee, Wisconsin
- Norwest Bank Wisconsin, National Association - Securities Fraud - Oppenheimer, Wolff & Donnelly, Attorneys At Law, Minneapolis, MN
- Commissioner of Insurance, State of Louisiana - Forensic Accounting, Insurance Industry – Brook Morial, Pizza & Van Loon, LLP, Attorneys At Law – New Orleans, Louisiana
- Industrial Cleanup Inc. - Business valuation; excess compensation and stock ownership issues; corporate mismanagement and income and financial position determination, Environmental Industry - Tranchina & Martinez, Attorneys At Law – New Orleans, Louisiana

LITIGATION SERVICES – EXPERT WITNESS CASES & MATTERS: (Cont'd)

- Coil Tubing Rentals and Supply Company - Breach of Contract and Business Lost Profit Determination, Oil Field Equipment Leasing Industry - Albert J. Derbes, III and Associates, Attorneys At Law – New Orleans, Louisiana
- Whitney National Bank of New Orleans - Critique Reorganization Plan/Going Concern Issue, Marine Construction Industry - Steeg & O'Connor, Attorneys at Law – New Orleans, Louisiana
- Riverboat Gaming Industry - Determination of Business Lost Profits - Shushan, Jackson & McPherson, Attorneys At Law – New Orleans, Louisiana
- The Home Life Insurance Company and Brown Shoe Company - Business Lost Profits - Determination Retail Shoe Industry - Foley & Lardner, Attorneys At Law, Milwaukee, Wisconsin
- The Hartford Steam Boiler Inspection and Insurance Company - Rebuttal of Business Interruption Claim, Drum Manufacturing Industry - Blue Williams, L.L.P., Attorneys At Law – Metairie, Louisiana
- Mellon Financial Services – Securities Performance - Reed, Smith, Shaw & McClay, Attorneys At Law - Pittsburgh, Pennsylvania
- Gunther Wittich – Dispute over Business sale and financing – Sullivan, Daigle & Resor, Attorneys At Law – Metairie, Louisiana
- Whitney National Bank of New Orleans – Lloyds of London name liability – Jones, Walker, Waechter, Poitevent, Carrère & Denègre, LLP, Attorneys At Law – New Orleans, Louisiana
- Michael Haerting, et al. – Financial Analysis of Corporate Transactions – J. Gregory Odom, Attorney at Law, New Orleans, Louisiana
- Mitsubishi Company – Lost Profits Determination – Jones, Walker, Waechter, Poitevent, Carrère & Denègre, LLP, Attorneys At Law, New Orleans, Louisiana
- Rose Dove – Marital Dissolution – Barkley & Thompson, LC, Attorneys At Law – New Orleans, Louisiana
- InterBio, Inc. – Lost Profits – Jones, Walker, Waechter, Poitevent, Carrère & Denègre, LLP, Attorneys At Law – New Orleans, Louisiana
- River City/New Orleans 2000 Joint Venture – Forensic Accounting, Gaming Industry – Breazeale, Sachse & Wilson, Attorneys At Law – New Orleans, LA
- Mark A. Tessier, et al. – Litigation Consulting – Philip Bulliard, Attorney At Law – New Orleans, LA
- Alltel Corporation – Breach of Contract Damages – Capell, Howard, Knabe & Cobbs, Montgomery, AL – Telecommunications Industry
- Midwest Life Insurance Company – Breach of Contract Damages – Stowell, Anton & Kraemer, Tallahassee, FL – Insurance Industry
- Ruth U. Fertel, Inc. – Shareholder Dispute – Crawford & Lewis, Baton Rouge, LA – Restaurant Industry (Two cases)

LITIGATION SERVICES – EXPERT WITNESS CASES & MATTERS: (Cont'd)

- LLOG Exploration – Forensic Accounting and Solvency Issues – Phelps Dunbar, LLP, New Orleans, LA – Oil and Gas Industry
- Kerr-McGee Chemical Corporation – Analysis of Complex Business Transaction – Adams and Reese, LLP, New Orleans, Louisiana – Chemical Industry
- Oreck Corporation – Loss Profits - Liskow & Lewis, LLP, New Orleans, Louisiana – Appliance Manufacturing Industry
- MCI WorldCom, Inc. – Shareholder Dispute – Adams and Reese, LLP, Jackson, Mississippi – Telecommunications Industry
- Rheem Manufacturing Company – Corporate Veil Piercing Issues - Frilot, Partridge, Kohnke & Clements, Attorneys At Law – New Orleans, LA – Hot Water Heater Manufacturing Industry
- Wasserstein Perella and Company – Cravath, Swaine and Moore – New York, NY – Restaurant Industry
- Kenner Plaza Shopping Center, L.L.C. – Rebuttal of Plaintiffs’ Damages – Dwyer & Cambre, A Professional Law Corporation – New Orleans, Louisiana – Restaurant Industry
- National Medical Care, Inc. (Bio-Medical Applications of Louisiana, Inc.) – Rebuttal of Financial Damages – Hemelt & Foshee – New Orleans, LA – Healthcare Industry
- Cooper Tire & Rubber Company – Allan Kanner & Associates, P.C. – New Orleans, LA – Assessments of the value of the benefits to the plaintiffs in this class action matter and the ability for the defendant to sustain judgment
- American MetroComm Corporation – Moore, Walters, Thompson – Baton Rouge, LA – Forensic Accounting
- Conseco Senior Health Insurance Company – Allan Kanner & Associates, P.C. – New Orleans, LA – Assessment of the ability of defendant to meet financial obligations in this class action matter
- Media Vision, Inc. – Arthur Lemann – Attorney at Law – Forensic Accounting of Failed Public Technology Company
- Winn-Dixie, Inc. – Jones, Walker, Waechter, Poitevent, Carrère & Denègre, Attorneys At Law - New Orleans, Louisiana – Complex Financial Analysis of Separate vs. Unitary Income Tax Reporting
- Chevron Phillips Chemical Company, LP – Adams & Reese – Baton Rouge, LA – Lost Profits
- Brennan’s of New Orleans, Inc. – Kenyon & Kenyon, Washington D.C. - Lost Profits
- Roedel, Parsons, Koch, Frost, Balhoff & McCollister – Forensic Accounting
- KPMG Peat Marwick, Forensic Accounting, Accounting Malpractice

LITIGATION SERVICES – EXPERT WITNESS CASES & MATTERS: (Cont'd)

- Offshore Specialty Fabricators, Inc – Fraud and Forensic Accounting – Hebert and Marceaux, Houma, LA – Oil Field Service Industry
- Cingular/BellSouth – Rebuttal of State and Local Tax Claim – Jones, Walker, Waechter, Poitevent, Carrère & Denègre, L.L.P., New Orleans, LA – Telecommunications Industry
- Salmen Company, LLC – Assessment of Economic Damages – Liskow & Lewis, PLC, Attorneys at Law, New Orleans, LA – Real Estate and Timber Industry
- Capitol House Preservation Company, LLC – Determination of Business Lost Profits – Charles Lambert, Jr., Esquire, Attorney at Law, Baton Rouge, LA – Riverboat Gaming Industry
- Salomon Smith Barney – Rebuttal of Lost Wages Claim – McGlinchey Stafford, PLLC, New Orleans, LA – Investment Brokerage Industry
- Consolidated Companies, Inc. – Calculation of Business Interruption Losses in Connection with Hurricane Katrina – Lemle & Kelleher, LLP – Wholesale Food Distribution Industry
- Arnaud's Restaurant, Inc. and Remoulade, Inc. vs. Lexington Insurance Company – Calculation of Business Interruption Lost Profits and Extra Expenses in Connection with Hurricane Katrina – Lowe, Stein, Hoffman, Allweiss & Hauver – Restaurant Industry
- Creole Delicacies Company, Inc., et al. vs. Transportation Insurance Company – Calculation of Business Lost Profits and Extra Expenses in Connection with Hurricane Katrina – Carver, Darden, Koretzky, Tessier, Finn, Blossman & Areaux – Specialty Products Retail Industry
- CAPTEC Franchise Trust 2000-1 acting by and through its servicer, The of Bank of New York vs. Dining Delight, Inc. and Richard Best – Rebuttal of Valuation of License in Connection with Franchise Restaurant – Shumaker, Loop & Kendrick, LLP – Retail Food Service Industry
- Robert L. Manard, PLC v. Transportation Insurance Company – Calculation of Loss of Business Income in Connection with Hurricane Katrina – The Manard Law Firm – Professional Services Industry
- Emma Walker Montero, Individually and as Usufructuary, Claimant vs. Edward Jones, et al. – Rebuttal of Damages in Connection with FINRA Arbitration (formerly NASD) – Hurlburt, Privat and Monroe – Stock Brokerage Industry

PERSONAL:

Married and father of one son.