

**DALE E. BOISSO, Ph.D.**  
Consulting Economist

**BOISSO  $\Sigma$  ASSOCIATES**

230 Wellington Road  
Irving, Texas 75063  
Telephone 214-394-3165  
dale@boissoandassociates.com

---

### **CURRENT POSITION**

BOISSO  $\Sigma$  ASSOCIATES is an economics consulting firm in the Dallas, Texas area. Prior to starting his own firm, Dr. Boisso was a Senior Economist at Ruhter & Reynolds, Inc., a Senior Engagement Manager at Navigant Consulting Group, Inc., and a Manager of Forensic and Litigation Services at KPMG Peat Marwick, LLP.

### **EDUCATIONAL BACKGROUND**

Dr. Boisso earned a Bachelor of Arts degree in Political Science from Eastern Illinois University, a Master of Arts degree in Economics from Eastern Illinois University, and a Doctor of Philosophy degree (Ph.D.) in Economics from Southern Methodist University.

### **PROFESSIONAL EXPERIENCE**

#### **Commercial Litigation**

Dr. Boisso has substantial experience in preparation of, and defense against, lost profits claims. He has prepared detailed lost revenue and avoided costs models, utilizing historical parameters, market factors, statistical inquiry, and future projections. Additionally, he has applied market and economic parameters to analyze market position, calculate appropriate discount rates, and develop support for critical assumptions. Dr. Boisso has critiqued opposing experts' reports, assisted counsel in preparation for testimonies by experts including Daubert hearings, and created trial exhibits and demonstratives. Some industries in which Dr. Boisso has business litigation experience include:

- Automotive Maintenance Services
- Cattle Feedlot Operations
- Children's Toys
- Commercial Cleaning Services
- Commercial Real Estate Development
- Computer Hardware
- Convenience Store
- Franchised Labor Staffing Services
- Grey Market Automobile Parts Sales
- Helicopter Replacement Parts
- Home Remodeling Materials
- Limousine Services
- Multi-Level Network Marketing
- Organic Farming Operations
- Telecommunications
- Tire-Wheel Assemblies

#### **Intellectual Property Infringement**

Dr. Boisso's experience in patent and copyright infringement cases includes evaluation of the Georgia Pacific factors, determination of reasonable royalty rates, calculation of lost revenues and avoided costs, estimation of increased costs of business, and analysis of price erosion. He has critiqued opposing experts' reports, assisted counsel in preparation for testimony of experts and Daubert challenges, and created trial exhibits and demonstratives. Some industries in which Dr. Boisso has patent and copyright infringement experience include:

- Computer Audio Chips
- Computer Software
- Electric Switches
- House Floor Plan Designs
- Musical Compositions
- Oil & Gas Drilling Equipment
- Political Campaign Symbols
- Railroad Cars
- Refrigeration Units
- Telephone Switching Equipment

#### **Economic Impact Studies**

Dr. Boisso has done various economic impact studies for clients, including: Evaluated the impact of off-track wagering on the horse husbandry and racing industries in Texas; Examined the impact to the State of Texas of not paying a large court settlement in a breach of contract lawsuit against the State; Estimated and testified about fair-return prices for automobile towing services regulated by various municipalities in Texas.

### **Lost Earnings**

Dr. Boisso has calculated lost earnings in numerous cases for both plaintiffs and defendants. His experience includes modeling economic losses due to personal injury, wrongful death, and wrongful termination of employees in a variety of industries. Additionally, he has analyzed the value of lost household services and calculated the present value of forecasted medical expenses. Dr. Boisso has critiqued opposing experts' reports and assisted counsel in preparation for depositions and trial. Some occupations (of claimants) for which Dr. Boisso has calculated lost earnings are:

- Airline Flight Attendant
- Accountant
- Attorney
- Boat Salesperson
- Computer Hardware Marketing Director
- Environmental Consultant
- Fireman
- Homemaker
- Ophthalmologist
- Real Estate Broker
- Retail Clerk
- Retail Store Owner
- Special Education School Counselor
- Stockbroker

### **Employment Discrimination**

Dr. Boisso has conducted statistical analyses of gender, racial and age discrimination claims in a number of cases. Collectively, these matters include both individual claimants and classes of employees. He has calculated lost earnings consequent to pay and promotion differentials between groups of employees. Additionally, he has calculated reasonable allocations of proposed settlements between back pay, front pay, compensatory damages, and prejudgment interest in several class action suits. Industries in which Dr. Boisso has analyzed employment discrimination are:

- Customer Service Call Center
- Credit Card Issuer
- Grocery Store Chain
- Home Remodeling Retail Store Chain
- Newspaper
- Sugar Refining

### **Antitrust**

Dr. Boisso has performed market definition analyses in cases involving both monopoly and monopsony. Additionally, he has calculated lost profits in separate matters concerning predatory pricing and denial of essential facilities; prepared economic and econometric analyses to investigate price fixing allegations against a major bakery in Texas; and evaluated liability issues stemming from allegations of wage suppression. His work in the latter case laid the foundation for strong negotiating positions for his defendant clients that led to favorable settlements amounting to fractions of pennies on the dollar. Some industries in which Dr. Boisso has antitrust experience are:

- Bakery Goods
- Cardiothoracic Surgical Services
- Dairy Products
- Oil & Gas Drilling Services
- School Book Depositories
- Waste Disposal Services

### **Business Valuation**

Dr. Boisso has used several methods to determine the value of a business, including discounted cash flow, guideline (comparable) companies, acquisition costs, and capitalization of net income. Critical issues addressed in various valuations include determining a discount rate for an un-established business, minority interest discounts, and discounts for lack of marketability. Examples of industries in which Dr. Boisso has business valuation experience include:

- Cable Television Network
- Real Estate Market Research Services
- Medical Waste Disposal Services
- Physicians' Practices
- Pizza Manufacturer

### **Securities Fraud**

Dr. Boisso's experience in securities fraud matters includes developing cohort-trading models, analyzing true value stock prices using regression techniques, applying event study methodologies to measure the impact of fraudulent disclosures on stock prices, and quantifying monetary damages.

### **TESTIMONY EXPERIENCE**

Dr. Boisso has given expert testimony on his findings and opinions in numerous depositions and trials in state and federal court, as well as to city councils.

### **TEACHING EXPERIENCE / CONTINUING EDUCATION COURSES GIVEN**

- 1982 - 1983      Instructor – Parkland College  
*Principles of Macroeconomics*
- 1984              Instructor – Western Illinois University  
*Principles of Macroeconomics; Principles of Microeconomics*
- 1984 - 1990      Instructor – Southwest Missouri State University  
*Principles of Macroeconomics; Principles of Microeconomics; Intermediate Macroeconomics; Price Theory; Money and Banking; Statistics for Economics*
- 1994 - 1995      Instructor – Southern Methodist University  
*Principles of Macroeconomics; International Trade*
- 1996 - 1998      Guest Lecturer – Southern Methodist University – Law & Economics classes  
*The Use of Economics in Litigation: A Case Study in Antitrust;*  
*The Use of Regression Analysis in Litigation*
- 2003 - 2004      Adjunct Professor – Southern Methodist University  
*Principles of Macroeconomics; Principles of Microeconomics; Price Theory*
- 1997 - 1999      KPMG Peat Marwick – Continuing Professional Education (CPE) classes  
*Basic Regression Analysis*
- 1998 - Present    Continuing Legal Education (CLE) seminars  
*Patent Infringement Damages: Lost Profits and Reasonable Royalties*  
*Critical Issues in Calculating Losses in Personal Injury and Wrongful Death Cases*  
*Geographic and Product Market Definition in Antitrust Litigation*  
*Lost Profits in Business Litigation*  
*Selecting and Working With Damages Experts in the Age of Daubert*  
*Economic Losses Resulting From Wrongful Termination or Discrimination*  
*The Role of Economic Analysis in Litigation*  
*Statistical Analysis in Employment Discrimination*

### **PUBLICATIONS**

“Productivity and Efficiency in the U.S.: Effects of Business Cycles and Public Capital,” (with K. Hayes and S. Grosskopf), Regional Science and Urban Economics, Vol. 30, No. 6, 2000, pp. 663-681.

“An Analysis of Price-Fixing Claims and Economic Damages in the Matter of The Plaintiffs v. Mr. Darbis’ Widgets,” (with R. Basmann), Forensic Economics: The Role of the Academic Economist in Litigation Support, ed. Daniel J. Slottje, Amsterdam: North-Holland, 1999.

“Economic Distance, Cultural Distance, and Openness in International Trade: Empirical Puzzles,” (with M. Ferrantino), Journal of Economic Integration, Vol. 12, No. 4, December 1997, pp. 456-484.

“Occupational Segregation in the Multidimensional Case: Decomposition and Tests of Significance,” (with K. Hayes, J. Hirschberg, and J. Silber), Journal of Econometrics, Vol. 61, No. 1, March 1994, pp. 161-171.