

DONALD ERICKSON, ASA

Donald Erickson is the President of Erickson Partners, Inc. a valuation and advisory firm based in Dallas, Texas. He is a former Senior Partner with Ernst & Young LLP's Corporate Finance Practice. He has managed over 1,500 valuation engagements since his entry into the valuation profession in 1972. These engagements have been conducted for the purposes of litigation, merger and acquisition, financing, allocation of purchase price, estate and gift taxes, employee stock ownership trusts, and business planning.



COURT TESTIMONY:

Mr. Erickson has testified numerous times in support of his opinions. This testimony has been in support of valuation opinions of business enterprises and intangible assets. He also has testified as to the fair value of stockholder interests, valuation related accounting issues, solvency issues, lost profits, economic and financial damages to business interests. His testimony experience has been both in deposition and trial in both state and federal cases up to and including the U.S. Supreme Court.

EXPERIENCE:

Mr. Erickson has been responsible for valuations in a diverse range of industries on both a national and international level. He has valued both enterprise and minority stock valuations. He has extensive experience in valuing patents, trade secrets, computer software, customer lists, trademarks and other intangible assets.

EDUCATION:

Mr. Erickson received his Bachelor of Science degree from the University of Santa Clara and his Master of Business Administration degree from the University of Oregon. He has taken additional courses in investment analysis from the American Institute of Real Estate Appraisers and real estate appraisal courses from UCLA Extension.

Mr. Erickson is a Senior Member of the American Society of Appraisers (ASA), certified in the discipline of Business Valuation, and he is a past National Chairman of the ASA Business Valuation Committee.

TESTIMONY
By
Donald Erickson, ASA

| <u>Attorney</u> | <u>Case</u> | <u>Description</u> |
|--|---|--|
| Terry Bell <i>Andrews & Kurth</i> 1717 Main Street, Suite 3700 Dallas, Texas 75201 | CCEC Asset Management Corp. f/h/a Consolidated Capital Equities Corp. vs. Chemical Bank | Valuation of intangible assets of a financial services company in bankruptcy – under California law. |
| Steve Zager <i>Weil, Gotshal & Manges</i> 700 Louisiana, Suite 1600 Houston, Texas 77002 | Mcorp Financial, Inc., Mcorp Management and Mcorp vs. FDIC | Valuation of assets of financial services company in bankruptcy. |
| Robert Powell <i>Hughes & Luce</i> 111 Congress Street Austin, Texas 78701 | Exxon Corporation vs. John A. Ewen, Fina Oil, <i>et al</i> | Valuation of an oil and gas company. |
| Jack Banner <i>Banner, Briley & White</i> 900 Eighth Street, Suite 1200 Wichita Falls, Texas 76301-6899 | In the Matter of the Marriage of Hugh Bruce Preston vs. Roberta Hancock Preston | Valuation of a dairy products company – marital dispute. |
| Wesley Ritchie <i>Kendall, Randle, Finch & Osborn</i> 515 Congress Avenue, Suite 1700 Austin, Texas 78701-3503 | US Airgas, Inc. vs. Sam Wilson, <i>et al</i> and Wilson Oxygen & Supply, Inc. | Valuation of a closely held industrial gas distributor. |
| Jennifer Jackson & Steven A. Schneider <i>Johnson & Wortley</i> 900 Jackson Street, Suite 100 Dallas, Texas 75202-4499 | BancTec USA, Inc. vs. Advanced Financial Solutions, Inc., et. al. | Valuation of damages associated with a closely held data solutions company. |
| Steve Williamson <i>Montgomery, Barnett, Brown, Read, Hammond & Mintz, LLP</i> 1100 Poydras Street New Orleans, Louisiana 70163 | Henlar, Ltd. Claude R. Smith, as Trustee for the Estate of Henlar, Ltd. vs. Powell Insurance Agency, Inc. | Valuation of a casualty insurance agency. |
| Don Colleluori <i>Figari & Davenport</i> 901 Main Street Dallas, Texas 75202 | Cinemark USA, Inc.; Tinsletown Equities, Inc.; and Tinsletown, Ltd. vs. City of Dallas, Texas | Damages associated with zoning of a new theater. |
| Richard Zook <i>Fulbright & Jaworski, LLP</i> 1301 McKinney, Suite 5100 Houston, Texas 77010-3095 | Elizabeth Miller vs. Big Ball Sports, Inc. | Valuation of a theme tee shirt manufacturer. |

TESTIMONY
By
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Continued

| <u>Attorney</u> | <u>Case</u> | <u>Description</u> |
|--|---|---|
| G. Wes Myatt, Jr. <i>Bumpus, Hall, Myatt, Thomas & Emergy, P.C.</i> One Burton Hills Blvd, Ste 155 Nashville, TN 37215 | Ajax Turner | Valuation of a Budweiser beer distributorship. |
| David Mattka <i>Munsch Hardt Kopf Haar & Dinan</i> 1445 Ross Avenue Dallas, Texas 75202-2790 | Lee Schlichtemeier, M.D. vs. Columbia/HCA Healthcare Corporation & Ambrose About, M.D. | Valuation of a west Texas hospital. |
| Gary Halling <i>Sheppard Mullin Richter & Hampton LLP</i> 4 Embarcadero Center, Suite 1700 San Francisco, California 94111 | DHL Corporation, a California corporation vs. Bank of Saipan, a Commonwealth of the Northern Mariana Islands corporation, as Executor for the Estate of Larry Lee Hillblom, and Doe Defendants 1-50 | Valuation of DHL Corporation, an international express mail delivery company. |
| Steven J. Adams <i>Gardere & Wynne</i> 100 West Fifth Street, Suite 200 Tulsa, Oklahoma 74103-4240 | Anchor Drilling Fluids, U.S.A. vs. M-I, L.L.C. | Valuation of an oil field services company. |
| W. Stuart Parsons <i>Quarles & Brady</i> 411 East Wisconsin Avenue Milwaukee, Wisconsin 53202-4497 | Kohler Co. vs. SoGen International <i>et al</i> | Valuation of the Kohler Company |
| Lester Ostrov, Esquire <i>Fogel Feldman Ostrov Ringler & Klevens</i> 1620 26 th Street, Suite 100 South Santa Monica, California 90404 | Howard, et. al. vs. Shay, et. al. | Valuation of a holding company with extensive real estate in Tokyo, Japan. |
| Scott R. Hoyt <i>Gibson, Dunn & Crutcher LLP</i> 1717 Main Street, Suite 5400 Dallas, Texas 75201-7390 | TexCo Communications, Inc. vs. Dallas MTA, L.P. and San Antonio, L.P. | Valuation of a Texas telecommunications company. |
| Keith Ward <i>Richardson & Ward</i> 6555 South Lewis, 2 nd Floor Tulsa, OK 74136 | Silverado Foods, Inc. vs. Nonni's Food Company, Inc. | Valuation of patents in the food industry. |

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Continued

| <u>Attorney</u> | <u>Case</u> | <u>Description</u> |
|---|--|---|
| Thomas Moreland, Esquire <i>Kramer Levin Naftalis & Frankel, LLP</i> 919 Third Avenue New York, New York 10022 | RB Holdings Corporation vs. Duane Reade, Inc. | Valuation of damages associated with a drug store acquisition in New York City. |
| John R. Wester <i>Robinson, Bradshaw & Hinson, P.A.</i> 101 North Tryon Street Charlotte, NC 28246 | Praxair vs. Airgas | Valuation of an industrial gas distributor. |
| Myron M. Sheinfeld <i>Akin, Gump, Strauss, ... LLP</i> 711 Louisiana Street Houston, TX 77002 | Baylor Methodist Primary Care Associates Arbitration | Valuation of a health care provider. |
| Joel M. Weissman <i>Weissman & Yaffa, P.A.</i> 515 North Flagler Drive, Ste 1100 West Palm Beach, FL 33401 | Nanci Bonnie Alexander vs. Leslie Lee Alexander | Valuation of the Houston Rockets – marital dissolution. |
| Peter W. Carter <i>Dorsey & Whitney LLP</i> 50 South Sixth Street, Ste. 1500 Minneapolis, MN 55402-1498 | Rainforest Café, Inc. vs. State of Wisconsin Investment Board, <i>et al</i> | Valuation of the fairness of a specialty restaurant chain. |
| Ryan Lurich, Esquire 5301 Spring Valley Road Suite 200 Dallas, TX 75254 | FINOVA Capital Corporation vs. Richard A. Arledge, Inc. d/b/a Arledge Motor Co., Richard A. Arledge, and Peggy L. Arledge | Valuation of damages associated with a used car dealer. |
| Jay M. Rosenberg <i>Conley Rosenberg Scroggins, ... LLP</i> 5080 Spectrum Drive, Suite 950E Addison, TX 75001 | David Hill as Next Friend to Jeffery Hill and Jackson Hill vs. Williamsburg Investment Corporation, Paul Jost, Harry Chernoff, Don Chernoff, and Jack Borgenicht | Valuation of a closely held real estate holding company. |
| Michael Moscato, Daniel Lenihan, Mark O'Donoghue & Jonathan Walsh <i>Curtis, Mallet-Prevost, ... LLP</i> 101 Park Avenue New York, New York 10178-0061 | In re: WorldCom, Inc. Securities Litigation | Valuation of assets of bankrupt companies. |

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Continued

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|--|--|---|
| Ryan Lurich, Esquire 5301 Spring Valley Rd. Suite 200 Dallas, TX 75001 | Brownwood Ford-Lincoln Mercury, Inc., Rick Close and Mark Barrow vs. Scott Blackburn | Valuation of a new car automobile dealer. |
| Mark N. Parry, Esquire <i>Moses & Singer LLP</i> 405 Lexington Avenue New York, New York 10174-1299 | The Thaxton Group, Inc., <i>et al.</i> , Debtors Vs. Finova Capital Corporation Chapter 11 title 11 | Valuation of business assets in a bankruptcy. |
| David Sochia, & Doug Cawley <i>McKool Smith</i> 300 Crescent Court, Ste 1500 Dallas, TX 75201 | MyMail, Ltd. vs. America Online, Inc., NetZero, Inc., Juno Online Services, Inc., Netbrands, Inc., EarthLink, Inc., Southwestern Bell Internet Services, Inc., and Prodigy Communications, Inc | Valuation of patents associated with internet service providers (ISP). |
| Amy Davis Benavides & Dwayne Hermes <i>Hermes Sargent Bates</i> 901 Main Street Suite 5200 Dallas, Texas 75202 | MICA Corporation v. Zurich American Insurance, et al. | Damages associated with a Texas construction company. |
| Gregory G. Smith, Esquire <i>Pryor, Robertson & Barry, PLLC</i> 315 North 7 th Street P.O. Drawer 848 Fort Smith, Arkansas 72902-0848 | Jim Gowing v. Plastic Research and Development Corporation | Valuation of patents and contracts associated with a fishing lure manufacturer. |
| Jeffrey A. Schulman, Esquire <i>Wolin & Rosen, Ltd.</i> 55 W. Monroe Street Suite 3600 Chicago, Illinois 60603 | Willamette Management Associates, Inc. vs. Robert S. Socol, Scott Levine, Susan Gould, Andrew Ward and Stout Risius Ross, Inc. | Valuation of a covenant not to compete in a consulting business |
| James A. Lamberth, Esquire <i>Troutman Sanders LLP</i> Bank of America Plaza 600 Peachtree Street, N.E. Suite 5200 Atlanta, Georgia 30308-2216 | David McDavid et al. vs. Turner Broadcasting System, Inc. and Time Warner, Inc. | Valuation of the Atlanta Hawks (NBA) And Thrashers (NHL) in a benefit of the bargain litigation |

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Continued

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| George S. Corbyn, Jr., Esquire <i>Corbyn Hampton</i> 211 N. Robinson Suite 1910 Oklahoma City, Oklahoma 73102 | Worldcover LP et. al. vs. AmeriShade Inc. | Valuation of a closely held canopy manufacturer |
| Donald E. Godwin, Esquire Godwin Ronquillo, PC Renaissance Tower 1201 Elm Street Suite 1700 Dallas, Texas 75270 | Cause No. 08-20170; <i>In The Matter of the Marriage of L.A. B. and E.C.B.</i> | Valuation of two restaurant companies – one established and the other a start-up venture. |
| Bruce S. Cooperman, Esquire Wasser, Cooperman and Carter One Century Plaza – Suite 1200 2029 Century Plaza East Los Angeles, California 90067 | Case No. BD514309 Jamie McCourt vs. Frank H. McCourt, Jr. | Valuation of the Los Angeles Dodgers – marital dissolution. |
| Stephen F. Malouf, Esquire The Law Offices of Stephen F. Malouf P.C. Turtle Creek Centre 3811 Turtle Creek Boulevard Suite 1600 Dallas, Texas 75219 | Motorcars Autogroup, Ltd., et. al. vs. Boardwalk Motor Imports, Ltd., et. al. | Valuation of covenant not to compete and acquisition of a Lamborghini auto dealership. |
| Janet A. George, Esquire <i>Law Offices of Janet A. George</i> 701 Fifth Avenue Suite 4500 Seattle, Washington 98104 | In re the Marriage of: Christopher Ross Larson, Petitioner, Plaintiff, and Julia Larson Calhoun, Respondent | Valuation of the Seattle Mariners – marital dissolution |
| Eric H. Feiler, Esquire <i>Hunton & Williams LLP</i> Riverfront Plaza, East Tower 951 East Byrd Street Richmond, Virginia 23219-4074 | Internacional Realty, Inc., et. al. vs. Mission Residential, LLC, et. al | Assessment of the fairness of a proposed ,but not completed, transaction of an exchange of equity interests in eight Delaware statutory trusts for a closely held REIT. |