

ABOUT MCS ASSOCIATES

MCS Associates is a specialist consulting group that has provided management, operational and regulatory consulting services to financial institutions, insurance companies and regulatory agencies as well as real-estate and financial services organizations for over twenty-eight years.

EXPERT WITNESS SERVICES

Expert Witness and Litigation Consulting assignments have been a major focus of MCS Associates services for many years. We undertake expert witness engagements throughout the United States and the firm's clients include many leading law firms, working on behalf of both plaintiff and defendant financial institutions, borrowers, depositors, developers, insurance companies and their insured, directors and officers, regulatory agencies, investors and individuals.

Together with MCS Associates' specialized resources in banking, financial services and real estate, the firm also draws on key strategic alliances in insurance, economics, academia and the securities industry to meet a wide range of expert witness needs.

MCS Associates' litigation consultants/experts are carefully selected and experienced bankers, lenders, consultants, insurance and securities brokers and managers, economists, accountants, real estate analysts/developers, appraisers, educators and former regulators who understand the litigation process. Supported by MCS Associates research, analysis and support resources, they blend their specialized knowledge and hands-on expertise to deliver credible, persuasive and expert testimony and analysis.

EXPERT WITNESS & LITIGATION CONSULTING AREAS

- ◆ Banking Operations/Administration
- ◆ Lending Policies, Custom and Practice
- ◆ Loan Underwriting & Credit Administration
- ◆ Bankruptcy, Foreclosures and Workouts
- ◆ Trust & Fiduciary Issues / Operations
- ◆ Securities Brokerage & Investments
- ◆ Valuations & Damages Assessment
- ◆ Wrongful Termination / Compensation
- ◆ Real Estate Appraisal & Transactions
- ◆ Real Estate Management & Brokerage
- ◆ Insurance Industry Custom & Practice
- ◆ Insurance Coverages / Claims Disputes

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Some of our Current and Past Clients

- ◆ *litigation consulting*
- ◆ *expert witness services*

Agapay, Levyn & Halling, Los Angeles, CA
Aguirre & Meyer, San Diego, CA
Akerman Senterfit, Miami FL
Alvarado, Smith & Vella, Los Angeles, CA
Angel Niestadt, Los Angeles, CA
Arnold & Porter, Los Angeles, CA
Arter & Hadden, San Diego, CA
Attorney General-State of California,
Augustini, Wheeler Dorman, Los Angeles, CA
Avner, Avner & Heyman, Los Angeles, CA
Bacon & Mills, Los Angeles, CA
Bain Law Offices, Santa Ana, CA
Baker Silberberg & Keener, Santa Monica, CA
Balestreri Pendelton & Potoki, San Diego, CA
Barton, Klugman & Oetting, Los Angeles, CA
Benjamin Weil & Mezer, San Francisco, CA
Berger Kahn Shafon et al, Irvine, CA
Berman Berman & Berman, Los Angeles, CA
Billet & Kaplan, Los Angeles, CA
Blanchard Krasner & French, San Diego, CA
Bonar, Incorvaia, et al, San Diego, CA
Booth Mitchell Strange, Los Angeles, CA
Borton Petrini & Conron, Modesto, CA
Breidenbach Buckley Huchting, Los Angeles.
Browne & Woods, Beverly Hills, CA
Callahan McCune & Willis, Tustin, CA
Carr & Ferrell, Palo Alto, CA
Case Ibrahim & Clauss, Costa Mesa, CA
Charlson Revich & Williams, Los Angeles, CA
Clapp Peterson & Stowers, Anchorage, AS
Clausen Miller, Los Angeles, CA; Chicago, IL
Conkle & Olesen, Santa Monica, CA
Cozen & O'Connor, San Diego, CA
Crosby Heafey Roach, Los Angeles, CA
Crowe Day Rogan, Los Angeles, CA
Damrell Nelson Schrimp et al, Modesto, CA
Del Tondo & Sheehan, Los Angeles, CA
Deming Law Offices, Orange, CA
Dimarco & Araujo, Santa Ana, CA
Drummy White King & Gire, Costa Mesa, CA
Dunn & Associates, Malibu, CA
English & Gloven, San Diego, CA
Ericksen Arbuthnot et al, Sacramento, CA
Evans & Heil, San Mateo, CA
Evans Farber & Cipinko, San Francisco, CA
Even Wade & Crandall, Newport Beach, CA
Federal Deposit Insurance Corp (FDIC)
Finer Kim & Stearns, Torrance, CA
Folger Levin & Kahn, Los Angeles, CA
Folger Levin & Kahn, San Francisco, CA
Foll & Elder, Los Angeles, CA
Frاندzel Robins Bloom et al, Los Angeles, CA
Frاندzel & Share, Los Angeles, CA
Freedman & Taitelman, Los Angeles, CA
Friend Wilson Draper, New Orleans LA
Galfin & Passon, Irvine, CA
Garvey Schubert & Barer, Portland, OR
Gebhardt & Smith, Baltimore, MD
George Donaldson Law Office, San Francisco
Gibbons Lees & Conley, Walnut Creek, CA
Gibson Dunn & Crutcher, Irvine, CA
Gilbert, Kelly, Crowley et al, Los Angeles, CA
Golden Law Offices, Beverly Hills, CA
Goldfarb Sturman & Averbach, Los Angeles, CA
Grant Genovese & Baratta, Irvine, CA
Greenwald & Associates, Orange, CA
Haight Brown & Bonesteel, Los Angeles, CA
Hall & Bailey, Riverside, CA
Hancock Rotherth & Bunshoft, San Francisco
Hart King & Coldren, Costa Mesa, CA
Hawkins & Sofonio, Encinitas, CA
Haynes Brydon & Lea, San Francisco, CA
Heller Ehrman White & McAuliffe, CA
Helsell Fetterman, Seattle, WA
Herzog Calamari & Gleason, New York NY
Hinche Witty Wood et al, San Diego, CA
Hovis Smith & Stewart, San Francisco, CA
Hutchison & Steffen, Las Vegas, NV
Incorvaia & Associates, San Diego, CA
Internal Revenue Service, Cincinnati, OH
Ivanjack & Lambirth, Los Angeles, CA
Jeffer Mangels Butler et al, Los Angeles, CA
John Peter Lee Ltd., Las Vegas, NV
Jolley Urga & Wirth, Las Vegas, NV
Jones Vargas, Las Vegas, NV
Kearney Alvarez, Los Angeles, CA
Kinkle Rodiger & Spriggs, Santa Ana, CA
Kirkland & Ellis, New York, NY
Kirkpatrick & Lockhart, Beverly Hills
Knapp Marsh & Jones, Los Angeles, CA
Knapp Peterson & Clarke, Glendale, CA
Knopfler & Robinson, Woodland Hills, CA
Kravitz, Schnitzer & Sloan, Las Vegas, NV
Larr & Poteet, Pasadena, CA
Lasky Haas & Kohler, San Francisco, CA
Latham & Watkins, Irvine, CA
Lawless & Horowitz, San Francisco, CA
Levinson & Kaplan, Encino, CA
Lobb Cliff Heaton & Roth, Riverside, CA
Lorenz Adelhoff Canon & Rose
Lukins & Annis, Spokane, WA
Lum Danzis Drasco et al, Roseland, NJ
Manatt Phelps & Philips, Los Angeles, CA
Markowitz Herbold Glade et al, Portland, OR
Matsui & Hickman, Santa Ana, CA
McClung & Davis, Laguna Hills, CA
Milbank Tweed Hadley & McCoy, Los Angeles
Miles Wright Finley & Zak, Costa Mesa, CA
Miller Starr & Regalia, Menlo Park, CA
Mitchell Silberberg & Knupp, Los Angeles, CA
Monteleone & McCrory, Los Angeles, CA
Morris Polich & Purdy, Los Angeles, CA
Morrison & Foerster, Newport Beach, CA
Morrison & Smith, Santa Ana, CA
Mower Koeller Nebeker, Irvine, CA
Musick, Peeler Garret, Los Angeles, CA
Nagler & Associates, Los Angeles, CA
Nelson & Freedman, Los Angeles, CA
Nemecek & Cole, Sherman Oaks, CA
Owen & Post, Rolling Hills, CA
Paluso & Sceper, San Diego, CA
Pansky & Merkle, Los Angeles, CA
Paul Hastings Janofsky et al, Costa Mesa, CA
Perez & Hawes, Woodland Hills, CA
Perkins Coie, Anchorage AK
Perona Langer & Beck, Long Beach, CA
Philipson & Simon, Anaheim, CA
Pillsbury Madison & Suto, Los Angeles, CA
Post Kirby Noonan & Sweat, San Diego, CA
Preston Gates & Ellis, San Francisco, CA
Preuss Walker & Shanagher, San Francisco, CA
Prindle Decker & Amara, Long Beach, CA
Proskauer, Rose & Goetz, Washington, DC
Quinn Emanuel Urqhart, Los Angeles, CA
Ramseyer & Kuhlman, San Diego, CA
Reback Hulbert McAndrews, Manhattan Beach, CA
Resolution Trust Corporation (National & Regional)
Robinson Di Lando & Whitaker, Los Angeles, CA
Ropers Majeski, et al, San Francisco, CA
Ross Dixon Bell LLP, San Diego, CA
Rutan & Tucker, Costa Mesa, CA
Saltzberg Ray & Bergman, Los Angeles, CA
Seltzer Caplin Wilkins, San Diego, CA
Seyfarth Shaw Fairweather et al, Los Angeles, CA
Sidley & Austin, Los Angeles, CA
Sivio Nardoni Law Offices, Glendale, CA
Smith Bentley & Hartnett, Redwood City, CA
Stephan Oringher Richman, Costa Mesa, CA
Stuart Waldrip Law Office, Santa Ana, CA
Testa & Associates, Vista, CA
Thelan Marrin & Johnson, Los Angeles, CA
Thompson & Heller, Sacramento, CA
Tisdale & Nicholson, Los Angeles, CA
Troop Steuber & Pasich, Los Angeles, CA
Tuttle & Taylor, Los Angeles, CA
Urtnowski Law Office, Irvine, CA
U.S. Department of Justice, Washington DC
Valensi Rose & Magaram, Los Angeles, CA
Ward Kroll & Jampol, Los Angeles, CA
Weinhart & Reilly, Los Angeles, CA
Wesierski & Zurek, Irvine, CA
Westrup Klick & Associates, Long Beach, CA
Wilke Fleury Hoffelt Gould, Sacramento, CA
Wilson Kenna & Borys, Los Angeles, CA
Winston & Strawn, New York, NY
Zilinskas & Jacobs, Santa Barbara, CA

*Our clients include many of the nation's leading law firms,
with expert witness and litigation assignments across the United States.*

EXPERT WITNESS AREAS OF EXPERTISE

Economics & Damages

Breach of contract
Business disruption
Damages calculations
Economic analysis
Executive compensation
Industry segment analysis
Lost profits analysis
Statistical analysis

Accounting

Accountant malpractice/ethics
Accounting practice/standards
Business interruption/lost profits
Estate & trust accounting
Forensic accounting
Fraud investigation
GAAP and RAP accounting

Appraisal & Valuations

Business valuation
Closely held businesses
Intangibles and goodwill
Real estate appraisals
Condemnation
Eminent domain valuations
Contamination/stigma effects on value
Property damage

Investments & Securities

Broker standards/practices
Broker dealer compliance
Brokerage management/supervision
Churning
Commodities
Options & Futures
Investment advisor functions/duties
Investment suitability
NASD/NYSE and other arbitration
Operations & settlement
Trading & portfolio management
Portfolio evaluation
Securities regulation/compliance
Stock options

Fiduciaries & Trusts

Fiduciary duties
Trust investments
Trust operations
Trust/fiduciary fees

Finance

Bank financial analysis
Banking industry trends/statistics
Banking regulators' practices/policies
Capital markets
Director & Officer duties/functions
Economic/statistical analysis
Financial analysis/modeling
Financial services industry
Investment banking
Mergers & acquisitions
Syndications/limited partnerships

Banking Operations

Banking industry standards/practices
Banking management
Branch banking
Check fraud
Credit card operations
Credit Union operations/practices
Deposit & ATM transactions
Director & officer liability
Endorsements
Fidelity /Bankers bonds
Foreign exchange
Funds transfers/Wire operations
International banking
Negotiable instruments
New accounts
Private banking
Safety deposit box practices
Savings & loan operations
Trust services/operations

Lending

- Construction loans
- Consumer lending
- Corporate/business lending
- Credit cards
- Asset-based loans
- Real estate lending
- Sub-prime lending
- Syndication loans

Origination/production & processing
Appraisal & inspections
Closing and documentation
Compliance (TIL/RESPA)
Credit administration
Foreclosures & defaults
Escrow & title
Funding/disbursements
Hard-money lending practices
Lease underwriting/administration
Lender liability
Lending policies, custom & practice
Letters of Credit
Loan review and analysis
Loan servicing & administration
Mortgage banking
Mortgage securities
Payments and collections
Regulatory compliance
Secondary mortgage markets
Taxes & impounds
Underwriting/credit evaluation

Bankruptcy, Foreclosures & Workouts

Foreclosure practices
Interest rate determination
Loan workouts
Market rent evaluation
Plan feasibility

Construction Defects/Disputes

Cost analysis
Design defects
Project management
Schedule/delay claims
Surety/completion claims

Insurance

- Personal & Commercial lines
- Life, Health & Disability
- Property & Casualty
- Professional Liability/E&O
- Reinsurance
- Excess & Surplus Lines
- Title insurance
- Fidelity Bonds
- Surety
- Credit life/mortgage insurance

Agency management
Agent duties/practices
Bad faith
Broker standards/practices
Claims adjusting
Claims handling practices
Coverage analysis/disputes
Duty to defend
Insurance Co. finance/structure
Insurance Co. management
Policy interpretation
Reinsurance practices/markets
Risk management
Self-insurance
Third Party Administration
Underwriting

Real Estate

- Commercial/Industrial
- Residential
- Retail
- Hospitality/Restaurants
- Land

Appraisal & valuations
Broker standards/practices
Brokerage & leasing
Compliance
Construction defects
Dept. of Real Estate regulations
Escrow
Homeowner associations
Land development
Land use/zoning
Lease agreements
Market statistics/research
Project feasibility/structure
Property management
RESPA/TIL compliance
Restaurant/Hospitality
Syndications/investments
Tenant/landlord disputes
Title Insurance

Employment & Compensation

Benefits & retirement plans
Compensation disputes
Employability
Executive search/recruiting
Job searches
Severance pay
Wages & overtime compliance
Wrongful termination