

David D. McDonald
Curriculum Vitae

Professional Summary



Mr. McDonald has over 40-years of experience in product marketing & development, sales and corporate management and legal support consulting with extensive P&L responsibility. His experience includes the founding of two expert witness referral service firms, creating a R&D team to develop a new wireless test system, securing venture capital to start a communications test measurement company and creation of a highly successful technical manufacturers' representative, consulting, marketing and training organization.

Expertise

- Corporate Management
- Engineering Management
- Legal Consulting & Expert Witness Services
- Product Development
- Product Marketing
- Sales and Marketing
- Test & Measurement Systems

Education

<u>Year</u>	<u>College or University</u>	<u>Degree</u>
1994	LaSalle University	BS Business Management
1957-60	San Jose State, University of Kentucky	
	<u>Continuing Education:</u>	
1995	San Jose State University Center for Electronic Materials & Devices	Microfabrication Technology

Professional Experience

From: 2002
To: Present
Organization: National Expert Witness Network, LLC, Magalia & Menlo Park, CA
Title: Founder & President
Summary: Responsible for all business operations for this nationwide expert witness referral service for the legal profession that specializes in consultants with expertise in high technology. Consultants are academics and industry practitioners who have realized high academic achievement.

David D. McDonald Curriculum Vitae

From: 1998
To: 2002
Organization: Silicon Valley Expert Witness Group, Inc., Mountain View, CA
Title: Founder, Vice President & COO
Summary: Provided expert witness and consulting services to the legal profession and industry with a focus on litigation support. Company recruits consultants with experience in technology for legal clients. Offers a comprehensive range of support services for the legal industry.

From: 1996
To: 1998
Organization: Ameritec Corporation, West Covina, CA
Title: General Manager, Wireless Test Systems Group
Summary: Responsible for R&D, engineering, product marketing, product assembly & test, and customer support for a new cellular and PCS wireless test system. Duties included creation of new business group, establishing the company's first satellite office and hiring engineering and support staff. Brought to market the SWARM™ (Subscriber Wireless Automated Remote Measurement) system in less than 2 years.

From: 1990
To: 1996
Organization: FTI/Teklicon, Inc., Mountain View, CA
Title: General Manager
Summary: Responsible for management and operations for high technology consulting firm that provided support services for law, industry and venture capital. Responsibilities include general management, supervision of consultant and expert witness recruiting, patent validity studies, discovery investigation, damage studies, deposition support and technology seminars, project management of complex cases.

From: 1988
To: 1990
Organization: Crosspoint Systems, Inc., Mountain View, CA
Title: President & CEO
Summary: Developed business plan and operating plan to support a \$3.25 million first round venture capital funding to create a start-up manufacturing company of electronic test management systems for the worldwide communications marketplace. Recruited the senior management team, directed the initial product development, devised the sales and marketing strategy and provided general management for the early stage evolution of the company. Other

David D. McDonald Curriculum Vitae

accomplishments included:

- Negotiation for the acquisition, and transfer, of the core technology used in the Crosspoint Systems product line.
- Recruitment of domestic and international distributors, and sales representative organizations, to introduce the company's initial products into the worldwide communications test measurement marketplace.
- Formulated a strategic partnership agreement with a major DOD/DCA manufacturer and systems integrator, a division of a Fortune 100 company, for the merger of hardware and software products and technology.
- Directed the sale of Crosspoint products into the end-user, OEM, operating telephone companies, inter-exchange common carrier and system integrator market segments.

From: 1972
To: 1988
Organization: CSS Telecommunications, Inc., Mountain View, CA
Title: Co-Founder & President
Summary: Established one of the first consulting and sales representative firms dedicated to the communications industry. Successfully completed a variety of product marketing studies for industry leaders, including NEC Corporation SRI (Stanford Research International). Developed a sales team that provided a high caliber, achievement oriented extension to the direct sales organizations of several communications manufacturers. Became a recognized leader in consulting and domestic sales of telecommunications products and systems for leading telecommunications companies, including:

- ADC Telecommunications (NASDAQ: ADCT)
- Dynatech Corporation
- Hekimian Laboratories, Inc.
- NEC America, Inc.
- NEC Corporation, Ltd.
- Telecommunications Techniques Corp.

In 1983, formed a Subsidiary, the Institute for Telecommunications Instruction (ITI) to develop technical training and product documentation for major telecommunications companies and Fortune-500 corporations, including AT&T, Pacific Bell, Tektronix, NEC America, Mark Products, Chevron Corporation and Wells Fargo Bank. Conceived and supervised the development of a microcomputer-driven interactive videodisc training program on analog transmission fundamentals.

David D. McDonald Curriculum Vitae

From: 1969
To : 1972
Organization: Sangamo Electric Company (Schlumberger Limited) Springfield, IL
Title: Western Regional Manager, Communications Systems Division
Summary: Managed operations within the 13 western States and western Canada for the newly created Communications Systems Division. Products were modems manufactured under patent license agreement with Western Electric Company (AT&T Technologies), variable line conditioners for data communications circuits, synchronous tape decks for digital data storage, and inductive components. Built a sales organization that included domestic sales representatives and Canadian distributors.

From: 1961
To: 1969
Organization: Pacific Telephone Company (SBC), San Francisco, CA
Title: Various Management Positions
Summary: Employment experience included management and supervisory positions in the Marketing Department, General Administration Staff and Special Service Operations. Attended various Bell System sponsored technical training courses from 1961-1969, entailing over 32 weeks of classroom time.

Litigation Support Experience

Consulting Expert

Date: 1994
Type of Matter: Patent Infringement
Law Firm: Spensley, Horn, Jubas & Lubitz
Case Name: Security Access v. Toshiba
Services Provided: Prior art research on telephone toll restriction systems
Disposition: Undisclosed

Expert Witness

Date: 1994
Type of Matter: Legal Mal-Practice
Law Firm: Long & Levit
Case Name: Nolan Lewis v. Bley & Bley
Services Provided: Expert witness on the custom and practice of manufacturers' representative and principal relationships
Disposition: Settled

Consulting Expert

Date: 1993
Type of Matter: Trademark Infringement

David D. McDonald Curriculum Vitae

Law Firm: Gibson, Dunn & Crutcher
Case Name: Ameritech Corporation v. Ameritech Corporation
Services Provided: Research consultant regarding confusion among relevant public with regard to logos in the telecommunications marketplace
Disposition: Bench trial

Expert Witness

Date: 1992
Type of Matter: Contract Dispute
Law Firm: McCutchen, Doyle Brown & Enerson
Case Name: Nolan Lewis v. Radofin Electronics
Services Provided: Expert witness on the custom and practice of manufacturers' representative and principal relationships
Disposition: Settled

Consulting Expert

Date: 1990
Type of Matter: Patent Infringement
Law Firm: Fish & Neave
Case Name: IBM v. Commodore Corporation (Pre-litigation)
Services Provided: Prepare invalidity arguments on IBM patents relative to computer graphics. Found §102 (a) prior art that anticipated the claims of 4 patents.
Disposition: Favorable Patent License Agreement

Consulting Expert

Date: 1993
Type of Matter: Patent Infringement
Law Firm: Graham & James, Lyon & Lyon for Mitsubishi Electric Company
Case Name: National Semiconductor Corporation v. Mitsubishi Electric Company/Mitsubishi Electric Company v. National Semiconductor Corporation
Services Provided: Supervise the work of multiple experts engaged to reverse engineer; conduct claims analysis and infringement, and invalidity arguments relative to semiconductor circuit-level and manufacturing process patents
Disposition: Settled

Consulting Expert

Date: 1991
Type of Matter: Insurance claim
Law Firm: Brobeck Phleger & Harrison
Case Name: National Semiconductor Corporation and Schlumberger on behalf of Fairchild Semiconductor v. Truck Insurance Group
Services Provided: Supervise the work of 6 Expert Witnesses engaged to assess custom and practice relative to transportation, storage, use and disposal of chemicals used in semiconductor manufacturing process
Disposition: Settled

David D. McDonald

Curriculum Vitae

Professional Affiliations, Achievements & Awards

- Member, IEEE
- Member, IEEE Communications Society

Publications

1. D. D. McDonald, "Quality of Service Impacts Churn Rates," *Wireless Business & Technology*, February 1998. D. D. McDonald and James G. Luce, Esq., "How to Choose an Expert Witness," *San Francisco Attorney*, October/November 1996.
2. D. D. McDonald and G. J. Summers, "Revising Patent Possibilities," *The Recorder*, May 6, 1992.
3. D. D. McDonald and G. J. Summers, "Techno-Consultants Aid in Early Discovery," *The Recorder*, September 27, 1991.
4. D. McDonald, J. Barber, "Data Communications Protocols," a four day instructor led training course designed for data communications technicians which stressed use of protocol analyzers in the fault isolation and analysis of protocol problems, ©1985 *Institute for Telecommunications Instruction*.
5. D. McDonald, G. Loye, "Digital Data Transmission," a three day instructor led technical seminar for telecommunications technicians and managers written to outline digital carrier, digital microwave, fiber optic and other digital transmission methods, ©1985 *Institute for Telecommunications Instruction*.
6. D. D. McDonald, "LP COM TC-2000-02 Protocol Operations Manual," ©1985 *LP COM*,
7. D. D. McDonald, "Basic Data Communications," a four day instructor led technical seminar designed for entry level telecommunications technicians to impart the fundamentals of the various segments that make up data communications, ©1983 *Institute for Telecommunications Instruction*.
8. D. McDonald, J. Barber, "Analog Transmission Fundamentals," a four day instructor led training course for telecommunications technicians containing a significant time component for hands-on use of transmission measuring instrumentation, ©1983 *Institute for Telecommunications Instruction*.

Jennifer Osbelt Curriculum Vitae

Professional Summary



Ms. Osbelt has over 10 years of industry experience, with a focus on cable and wireless networking and security, web development, and client/server technology. She is familiar with the technologies applied to Internet and Intranet networks, cable and wireless networking and security, LAN/WAN infrastructure, client/server applications, relational database management systems, network performance management, and eBusiness technologies. Ms. Osbelt's recent work has been in providing Expert Witnesses and Case Management services to the legal profession in areas of high-technology.

Expertise

- Cable and Wireless Technologies
- Expert Witness Consulting Services
- LAN\WAN
- Legal Support Services
- Network Security
- Web Technologies

Education

<u>Year</u>	<u>College or University</u>	<u>Degree</u>
1996	Oxford University, Oxford UK	Scholar, focus on MIS
1997	St. Bonaventure University	BS Computer Science

Professional Experience

From: 2004
To: Present
Organization: National Expert Witness Network, LLC
Title: Vice President & CTO
Summary: Responsible for NEWN's technical operations and for case management of complex litigation support projects for this nationwide expert witness referral service for the legal profession that specializes in consultants with expertise in high technology. Consultants are academics and industry practitioners who have realized high academic achievement. Responsibilities include providing a comprehensive range of support services with an emphasis in the analysis of technology issues that are relevant to intellectual property matters with particular focus on patent infringement.

Jennifer Osbelt Curriculum Vitae

From: 2001
To: 2004
Organization: Silicon Valley Expert Witness Group, Inc.
Title: Information Technology Manager; Case Manager
Summary: As Case Manager, Ms. Osbelt provided expert witness and consulting services to the legal profession with a focus on consulting requirements and litigation support that requires top-level expertise in areas of high technology. Offered a comprehensive range of support services with an emphasis in the analysis of technology issues that are relevant to intellectual property matters with particular focus on patent infringement matters.

Information Technology Manager, responsibilities included:

- Installation and maintenance of internal and external networks
- VPN Access
- Web Hosting
- Corporate Databases

Client/Server technologies and applications.

From: 2000
To: 2001
Organization: TheSupply
Title: Engineering Systems Manager
Summary: TheSupply is a business-to-business eCommerce company that focuses on automating the supply chain for materials and components in semiconductor, printed circuit board, and PCB assembly industries. Ms. Osbelt's responsibilities included building and maintaining all engineering and development environments including Windows-NT and UNIX operating systems. Gained knowledge of Korn, Bourne, and C shells. Ms. Osbelt participated in network training, job fairs and employee recruiting efforts. Additionally, she was responsible for customer meetings, customer training, sales meetings, and vendor purchases. Work with the sales team included all the technical aspects of sales presentations, network and product setup, and pre- and post- sales support. She conducted technical presentations for TheSupply products for current and prospective customers. Other duties included:

- Built and maintain servers with SQL, Oracle, Exchange, Great Plains, Siebel, IIS, Netscape web servers, and many various application servers.
- Deployed and maintained full network backup solutions using ArcserveIT; HP rack mount DLT's; Qualstar Libraries; Sony AIT-2 and DLT-4 media.
- Maintained backups on UNIX and NT platforms with database-level integrity on SQL Oracle, and Exchange databases.
- Built and maintained UPS's, switches, and T1 phone system that included products from: Foundry and Cisco Network Switches and Shoreline Data Switches for Phones.

Jennifer Osbelt Curriculum Vitae

- In charge of purchasing all equipment, hardware and software used in both development and customer networks.

From: 1998
To: 2000
Organization: Electronic Data Systems (EDS)
Title: Network Systems Analyst
Summary: Responsible for troubleshooting Windows-NT, Exchange, Netware 3.12, 4.x servers Administrator of Macintosh, 3.11, 95, 98, and NT workstations on TCPIP/IPX-SPX Novell and NT Networks. Provided support for Office 97, Office 2000, Outlook Mail, MSMail, and many 3rd party software applications on customer workstations.
Additional duties included responsibility for special network solutions, PDS, Macintosh solutions, and Backup\Storage

From: 1997
To: 1998
Organization: Xerox Corporation
Title: High Volume Reprographic Network Engineer
Summary: Provided support on NetWare 3.11, 3.12, 4.x; NT 3.51, 4.0; all DOS and MacOS. Duties also included support for the connectivity of Windows, Sun, Mac, and NT clients. Supported systems running on NFS; NDS; Bindery Emulation; AppleTalk; Token Ring; TCPIP; IPX\SPX; Ethernet; Twisted Pair, and Thicknet Media.

From: 1993
To: 1997
Organization: St. Bonaventure University
Title: Systems Administrator, Accounts Manager, Database Administrator
Summary: Duties included administration of St. Bonaventure's student network e/w Novell 3.12 and Novell 4.x NetWare running on Macs, PC's, and Sun Workstations. Additional responsibilities included the creation and/or maintenance of some 2500 student accounts on 5 NetWare servers. Provided technical support for computer labs on campus and technical training for new employees. Other duties included responsibility for the Department of Computer Science's student database, and creation, editing, and merging of multi-application files into documents and/or databases.

Litigation Support Experience

Jennifer Osbelt Curriculum Vitae

Ms. Osbelt has provided background research and case management services to major law firms across the country in intellectual property and other legal disputes involving high-technology subject matter, including:

- Cable Television
- Satellite Receive Technology
- Semiconductor Process & Manufacturing
- Software Engineering
- Network Technologies

Professional Affiliations, Achievements & Awards

- Member, IEEE
- Member, Electronic Frontier Foundation (EFF)
- Member, Bay Area Wireless Users Group (BAWUG)
- Member, Professional and Technical Consultants Association (PATCA)
- Member, Computer Professionals for Social Responsibility (CPSR)