

Curriculum Vitae

James M. Skorheim, JD, CPA/ABV/CFF, CFE, CVA, CGMA

Attorney at Law

Certified Public Accountant/Accredited in Business Valuation/Certified in Financial Forensics (CPA)

Certified Fraud Examiner (CFE)

Certified Valuation Analyst (CVA)

Chartered Global Management Accountant (CGMA)

Member, Registered Investment Adviser (CRD# 168711)

Registered Investment Adviser Representative (CRD# 6384054)

General Overview

Jim Skorheim has been described by the Orange County Bar Association as “Orange County’s top financial expert witness.” He has extensive courtroom experience and has served in over 300 business litigation cases. Jim was the plaintiff’s damages expert in the Beckman v Flextronics case which resulted in the largest jury verdict in Orange County history. He has been instrumental in numerous defense verdicts as well. In all, Jim has assisted his clients obtain over \$1.3 billion in verdicts, settlements and arbitration awards. He has also served as an arbitrator, mediator and accounting referee in a variety of matters. During Jim's 35 years in practice he has developed expertise in accounting and auditing, securities analysis, taxes, financial and estate planning, business valuation, business consulting, mergers & acquisitions, due diligence, corporate governance, and risk management services for both public & private companies. Jim is a member of the Board of Directors of a publicly-held private equity investment company and is Chair of the Company’s Audit & Enterprise Risk Committee and a member of its Investment Committee. He is a registered Investment Adviser Representative and a member of a Registered Investment Adviser. Jim’s clients have spanned virtually all major industries including real estate, financial services, retail, healthcare, manufacturing, distribution, technology and services. He has served in a wide variety of litigation matters including breach of contract, business torts, lost profits, business valuation, alter ego, fraudulent transactions, wage and hour claims, unfair competition, fiduciary duty, IP infringement, trade secrets, officers’ & directors’ practices, commercial insurance claims, partner/shareholder disputes, wrongful termination, corporate governance and business practices. Jim is a lecturer on commercial damages and other financial topics.

Current Position

Skorheim & Associates, An Accountancy Corporation (www.skorheim.com)

Certified Public Accountants & Business Consultants

Principal

Skorheim & Associates is an accounting and business consulting firm with a substantial emphasis in the area of financial analysis and business valuation relating to commercial damages and losses. The Firm’s services include forensic accounting, damages analysis, expert testimony, business valuation, industry & market analysis, fraud investigations, commercial insurance claims, risk management, recovery from casualty and insurance claim forensics.

Employment History

Coleman & Grant, An Accountancy Corporation

Certified Public Accountants & Business Consultants

Partner

Moss Adams, LLP

Certified Public Accountants & Business Consultants

Partner

Deloitte & Touche, LLP

Certified Public Accountants & Business Consultants

Partner

Law Office of James M. Skorheim

Attorney at Law

Principal

Skorheim & Associates AAC, 25301 Cabot Road, Suite 208, Laguna Hills, CA 92653 (949) 438-7430

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Areas of Special Competence

Business accounting and auditing
Taxation: International, federal, multi-state and local
General business and financial consulting; business & management practices
Securities and investment analysis; investment management
Valuations of closely-held and public businesses; valuations of business and financial assets
Directors' & Officers' standard of care
Economic, operational and management consulting for a variety of businesses
Litigation support services, economic damage analysis, forensic accounting and fraud investigations
Risk management and commercial insurance claims resolution services
Fiduciary duties of business managers, trustees
Financial planning and estate planning
Corporate, partnership, LLC and fiduciary governance
Served as arbitrator, mediator and accounting referee

Professional Memberships

American Institute of Certified Public Accountants
California Society of Certified Public Accountants
State Bar of California
American Bar Association
Orange County Bar Association
Association of Certified Fraud Examiners
National Association of Certified Valuators & Analysts (Business valuation)
American College of Forensic Examiners
American Board of Forensic Accounting
American Inns of Court - Legion Lex
Association of Business Trial Lawyers

Professional Activities

Note Author, Law School Law Review, 1978
Lecturer, Various California Continuing Education of the Bar Programs
Lecturer, Various California Society of CPA Programs
Lecturer, Various Orange County Bar Association Programs
Lecturer for various professional and community organizations
on a variety of accounting, tax and business topics

Community Affiliations

Board Member & Past-President, Orange County Bar Foundation (OCBF), Audit Committee Chair
Founding Fellow, OCBF Society of Fellows
Recipient, Distinguished Fellow Award (OCBF)
Recipient, Sam Barnes Excellence in Service Award (OCBF)
Past President, Orange County Bar Association Charitable Fund
Chairman, Finance Committee, St. Timothy Catholic Church, Laguna Niguel

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Professional Fee Schedule

Our fees are charged at our standard hourly rates as follows:

Partners and Managers	\$300 - \$450 per hour
Seniors and Staff Accountants	\$100 - \$300 per hour
Paraprofessionals & Staff	\$ 50 - \$100 per hour

Jim Skorheim's rate is \$440 per hour. Our rates are subject to change periodically with or without notice. We also charge for out-of-pocket costs such as delivery service, postage, telephone, travel, meals and lodging, photocopy, computer charges and other expenses, etc.

Our policy is to collect an advance refundable retainer which varies in amount depending on the expected scope of our services. This retainer is applied to our final invoice for the matter. Our fees and costs are invoiced on a monthly progress basis and our invoices are due on presentation.

Invoices which become delinquent past 30 days incur a service charge of ten percent (10%) per annum, compounded monthly. If an invoice becomes delinquent past 30 days, we reserve the right to terminate services until the account is paid in full. Any dispute over services or fees shall be resolved by binding arbitration.

In all litigation related matters, accounts must be paid in full prior to the time we are called upon to provide testimony or other work products. We cannot guarantee the outcome of our services in any dispute related matter and our fees are not contingent in any way upon any particular outcome or result.

Professional References

Mike Yoder, Partner, O'Melveny & Myers LLP	(949) 823-7936
John Hurlbut, Jr., Partner, Rutan & Tucker LLP	(714) 641-3428
Mark Robinson, Jr., Shareholder, Robinson Calcagnie Robinson, et al.	(949) 720-1288
Wylie Aitken, Partner, Aitken Aitken Cohn	(866) 434-1424
Bill O'Hare, Partner, Snell & Wilmer	(714) 427-7013
Don Morrow, Partner, Paul Hastings LLP	(714) 668-6291
Richard Grabowski, Partner, Jones Day	(949) 553-7514
Paul Gale, Partner, Troutman Sanders LLP	(949) 622-2704
Marc Schneider, Shareholder, Stradling	(949) 725-4137
Ken Parker, Partner, Haynes & Boone LLP	(949) 202-3014
Tom Gibbs, Partner, Allen Matkins LLP	(949) 851-5417
Dan Callahan, Partner, Callahan & Blaine	(714) 241-4444
M. Alim Malik, Shareholder, Jackson DeMarco	(949) 851-7458
Ben Nix, Partner, Payne & Fears LLP	(949) 797-1249
Gary Waldron, Shareholder, Weintraub Tobin	(949) 760-0204
Scott Ferrell, Partner, Newport Trial Group	(949) 706-6464

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Experience as Trial Consultant/Expert Witness

Jim Skorheim has extensive courtroom experience and has served in over 300 business litigation cases at both the federal and state levels on issues relating to business, accounting, finance, economic, business valuation and tax matters. He has also served as an arbitrator, mediator and accounting referee. Jim has been engaged by both plaintiffs and defendants and the following is a selected listing of Jim's trial consultant/expert witness case experience:

- Assisted a Fortune 1000 medical products manufacturer win a record-breaking jury verdict against one of its component vendors for failures which caused disruptions to its production operations.
- In 2006 predicted collapse of sub-prime mortgage industry and obtained a "no damages" arbitration decision relating to a failed merger between two mortgage bankers.
- Assisted in a breach of contract and fraud action against one of the world's largest technology companies which resulted in a jury verdict of \$116 million for our client.
- Assisted Fortune 1000 telecommunications company obtain a \$48 million jury verdict for infringement of various intellectual property rights.
- Developed a novel asset tracing approach that expanded the law in a federal fraudulent transfer and equitable lien case that was specifically considered and approved in the federal appellate opinion.
- Assisted plaintiffs' class obtain 8 figure settlement from Orange County Register in an employment classification, wage and hour class-action case.
- Assisted an international import-export vendor obtain a \$30 million verdict for fraudulent transfers and alter ego liability against its customer and its customer's shareholders.
- Assisted one of the world's largest telecommunications & technology manufacturers obtain an 8 figure settlement from one of its parts vendors for losses caused by defective products.
- Applied a unique risk-based approach in determining fairness of 1st party settlement in indemnity action against 3rd party product manufacturer which was upheld by state appellate court in a published opinion.
- Assisted an international brand-name surf-wear licensor obtain a unanimous jury verdict on claims and cross claims relating to an intellectual property licensing dispute.
- Fraud investigation and forensic accounting in multi-million dollar CFO embezzlement case for computer products company resulting in successful multi-million dollar settlement.

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Experience as Trial Consultant/Expert Witness (Continued)

- Assisted a well-known local restaurant recover a multi-million dollar jury verdict against its landlord, one of the Nation's leading retail commercial property operators. Our lost profits and lost business goodwill opinions were discussed favorably and upheld by the appellate court.
- Appointed by Court as joint expert to value dissenters' interest in a web-based Management Service Provider (MSP) for purposes of Corporations Code Section 1300 action. Court adopted Mr. Skorheim's valuation.
- Served as expert witness for plaintiff in punitive damages case against large Fortune 1000 aerospace contractor resulting in \$50 million verdict for plaintiff.
- Assisted a publicly traded national restaurant chain obtain a full defense verdict against claims filed by one of its vendors.
- Infringement damages, lost profits and business valuation relating to the termination of advertising rights of dot-com company by popular internet portal company.
- Performed GAAP-based earn-out calculation in a merger & acquisition dispute relating to acquisition of technology assets on behalf of large title insurance & investment company.
- Post-acquisition dispute relating to the acquisition of the subsidiaries of Fortune 500 company; balance sheet true-up and working capital adjustment.
- Assisted an investor obtain a favorable award in an NASD arbitration against the world's largest financial institution for losses resulting from the well-known collapse of Adelphia Communications.
- Served as lead arbitrator in dispute between National residential home builder and one of its former officers.
- Provided opinions on damages and standard of care for officers and directors of investment company funds sponsor.
- Assisted an organic tequila company obtain a jury verdict of \$25+ million in lost business value caused by malpractice and breach of duty of defendant attorney.
- Hired by Judge to act as accounting referee to conduct fraud investigation and perform a partnership accounting for food processing company.
- Lost profits and business valuation damages in case of unfair competition on behalf of three national credit bureaus.

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Experience as Trial Consultant/Expert Witness (Continued)

- Breach of fiduciary duty and business valuation of large health care physicians' group.
- Breach of contract between international semiconductor manufacturer and national chip distributor relating to price protection in volatile market.
- Damages analysis in a contract dispute between a hospital chain and a large HMO payer organization.
- Calculated damages and business value in breach of fiduciary duty and usurpation of corporate opportunity case for technology company.
- Served as court-appointed independent accountant and appraiser for involuntary dissolution of technology company.
- Post-acquisition accounting and valuation of pool of motor vehicle loans relating to breach of contract.
- Served as court-appointed neutral to render fairness opinion for class-action settlement in contractor case.
- Dispute regarding value of stock options and common stock of retail energy distribution company.
- Damages analysis in unfair competition, unfair business practices, patent and trademark infringement and false advertising dispute for auto parts manufacturing competitors.
- Valued mortgage portfolio in breach of contract dispute on behalf of large real estate title insurance company.
- Breach of contract and alter ego analysis in relation to the acquisition of 3D movie exhibition system by theater chain operator.
- Damages and valuation analysis relating to post-acquisition dispute concerning a pool of residential mortgage loans.
- Damages and business valuation analysis of a family of medical care units relating to a dispute among the owners thereof.
- Appointed by state and federal courts as trustee to pursue claims against officers and directors of a far-flung media company resulting in \$15 million settlement for unsecured creditors.

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Experience as Trial Consultant/Expert Witness (Continued)

- Business valuation and equity investment tracing for regional public storage units operator in shareholder dispute.
- Economic damages and substantive estate planning issues in attorney negligence case including analysis of substantial recreational real estate investments.
- Served as neutral to appraise losses in insurance claim of consumer finance company.
- Business valuation and business lost profits of a retail auto parts business caused by City's alleged wrongful abatement action.
- Lease compliance, forensic accounting and fraud investigation of restaurant operator under percentage lease.
- Served national real estate brokerage company in various franchise disputes.
- Analyzed real estate joint venture losses on behalf of large publicly-traded home building company.
- Business valuation and business interruption lost profits of retail clothing store allegedly caused by contractor's negligent store remodeling.
- Business valuation of internet search engine operator in connection with potential tax controversy.
- Calculated City's lost gross receipts tax revenue and examined alter ego issues relating to large regional landfill operator.
- Infringement damages and business valuation of dental products manufacturer in shareholder derivative action against corporation in connection with merger with public company.
- Provided damages and Directors' and Officers' standard of care testimony in breach of fiduciary duty matter.
- Patent infringement lost profits and business valuation of optical products manufacturer against public company.
- Performed insurance forensics services in coverage dispute between large hospital organization and its insurance companies where numerous claims were valued as a basis to apply allocation language of various insurance policies.

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Experience as Trial Consultant/Expert Witness (Continued)

- Copyright infringement damages analysis in dispute among creative art designer, creative writer and production company for rights to a creative treatment for various entertainment media.
- Value of stock options of pre-IPO public company relating to a breach of contract action by an executive against a public company in the broadband technology industry.
- Business valuation and business interruption lost profits of restaurant and bar owner relating to alleged wrongful permit suspension by City.
- Served defendant in class-action in an American with Disabilities Act complaint against large public storage company.
- Partnership dissolution accounting and business valuation relating to dispute in real estate investment and development partnership.
- Lost income and benefits in a wrongful termination case by a corporate CEO of a mid-sized auto parts manufacturer.
- Trademark, unfair competition and false advertising damages between competitors in video game and accessories distribution business.
- Lost economic value and lost profits in products liability action by auto industry manufacturer against foreign machinery manufacturer.
- Action for claims coverage by dental service provider against insurance brokerage and malpractice insurance carrier.
- Economic losses suffered by venture capital company against environmental technology company on failed investment relationship and related legal malpractice case including alter ego issues.
- Economic losses and business valuation of real estate brokerage franchise against national franchiser.
- Economic damages in action by specialty store operator against large hotel chain upon premature termination of lease.
- Alter ego case in cross-actions between medical group and large hospital chain.
- Unfair competition and trade secrets case between two real estate investment companies.

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Experience as Trial Consultant/Expert Witness (Continued)

- Investigated employee fraud case on behalf of Fortune 500 healthcare company.
- Accounting and valuation issues in post-acquisition dispute relating to sale of 50% interest in telephone equipment distributor.
- Analyzed damages claimed against city for various alleged equal protection violations.
- Calculated damages and business value in breach of fiduciary duty and usurpation of corporate opportunity case for technology company.
- Determined economic losses in breach of contract dispute between two high-tech publicly traded software companies.
- Lost profits and business valuation losses in sale of commercial bakery.
- Lost profits and business valuation losses of high-tech components manufacturer in indemnity case against bonding company resulting from fiduciary breach.
- Business valuation of machining job shop in dispute between shareholders.
- Alleged consumer fraud case against large residential apartments' operator.
- Provided unfair competition and trade secrets damages opinions in action between two large residential auction companies.
- Infringement damages resulting from interference and unfair trade practices against specialty plumbing fixtures distributor.
- Copyright and trademark infringement case between two international software manufacturers.
- Served as mediator in dispute between large computer manufacturer and one of its service vendors.
- Lost profits in breach of contract action relating to distribution of mass-spectrometers in Europe.
- Acted as accounting referee in breach of contract action between two distributors of cable television and Internet components.
- Determined unpaid amounts due large hospital system from national HMO payer.
- Lost profits, lost opportunities and business valuation of fruit grower and fruit packing company in shareholder derivative action.

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Selected Listing of Industries Served

Advertising & media
Aerospace & aeronautics
Airport infrastructure
Antiques - retail
Apartments
Apparel industry
Auto dealers & auctions
Auto parts manufacturing
Auto service & restoration
Bakery – commercial
Banking/Credit unions/Finance companies
Broadband technology
Cable telecommunications - components
Circuit board manufacturing
Commercial awning manufacturing
Commercial & retail real estate
Computers & accessories
Consignment store - retail
Construction contractors
Courier service
Credit reporting companies
Deli store operations
Dental products & services
Distribution
Entertainment and recreation
Environmental technology
Fiber optics
Financial intermediaries; services
Food processing; wine & spirits
Fruit co-op - wholesale
Gaming machine manufacturing
Gas Stations
Government contractors
Grocery/Retail
Health care
Health insurance
Healthcare devices & products
High-tech; components
Hospitals
Hotels & hospitality
Industrial real estate
Import/Export trading
Insurance brokerage & underwriters
Internet – portal, content & commerce sites
Investment banking; Investment companies
Investment management
Juice store – retail
Landfill operations
Lawyers & law firms
Lighting manufacturing
Machine shops
Malpractice insurance
Manufacturing
Marina & recreational real estate
Media companies
Medical groups
Medical instruments manufacturing
Memory products
Mining & quarry operations
Modem technology manufacturing
Mortgage banking
Moving & storage
National fundraising
Networking services
Non-Profit organizations
Office furniture sales & repair
Optical products
Pension & actuarial services
Pharmaceutical distribution
Physicians & medical groups
Plastics manufacturing
Plumbing supply & fixtures; contractors
Professional services
Public storage; mobile home parks
Real estate brokerage; title insurance
Real estate development & investment
Residential real estate & home builders
Restaurants & bars
Retail apparel & sports equipment
Sand & gravel excavation
Securities & investments
Semiconductor distribution
Semiconductor manufacturing
Senior living real estate and operations
Skylight manufacturing
Specialty plumbing fixtures
Storage technology
Telecommunications & utilities
Theater operations
Vehicle manufacturing
Vending machine manufacturing & sales
Video games & accessories