

SETTLEMENT AND EXPOSURE ESTIMATES

SETTLEMENTS AND CONSENT DECREES

Representative Engagements:

- For a national passenger train corporation, designed and performed court-mandated monitoring of promotion, performance reviews, and pay.
- For a scientific research laboratory devoted to national security issues, monitored promotion, pay, and evaluation processes in accordance with a court ordered settlement.
- For a major chemical manufacturer, analyzed and interpreted a full range of employment decisions (promotion, pay, and termination) for adverse impact over several years.
- Designed and conducted compensation analyses that were used in the negotiation of the landmark settlement agreement between The Boeing Company and the OFCCP which established the agency's acceptance of the use of regression analysis for purposes of contractor self-monitoring and calculation of a financial remedy.
- Monitored results of promotion decisions for a consent decree arising out of a class action case involving a Northern California supermarket chain and the EEOC.
- Designed and managed processes and procedures to monitor discretionary salary increases and promotions for a major American car-maker as a result of the consent decree.
- As part of a consent decree, retained to monitor compensation practices for a large mid-Atlantic based public utility company.

Representative Experience:

- Design statistical models that account for the relevant factors.
- Understand economic and statistical theory and apply the most appropriate to the project.
- Work closely with counsel and the courts to ensure the analyses meet the required standards.
- Maintain SAS-70 Type II certification, ensuring data and work product are handled in a secure and controlled environment.

EXPOSURE AND DAMAGE ESTIMATES

Representative Engagements:

- Reviewed invoices related to transactions between the two national railroad companies in preparation for potential arbitration. Analyzed inter-company transactions, including monthly invoices and identified potential anomalies in the invoice amounts and financial calculations. Reviewed the current monthly invoice auditing process and recommended process improvements.
- Preparation of individual estimates of damages stemming from fraudulent charges on behalf of plaintiffs in a matter involving a major telecommunications company.
- Estimation of damages consisting of lost pay, social security benefits, and pension value resulting from an early termination claim against a major petrochemical corporation.
- Estimate of potential damages, on behalf of plaintiffs, resulting from compensation, promotion, stock option, and FLSA claims. Multiple regression analyses were prepared to estimate potential compensation damages. Cohort analyses were used to estimate the value of promotions.
- Estimated potential damages consisting of back pay, front pay, and pension losses for settlement negotiations for class action race discrimination litigation involving a federal government agency.
- Calculation of economic losses for wage and hour claims related to missed meal and rest periods on behalf of a casual dining establishment.

Representative Experience:

- Utilize sound and legally defensible methodology appropriate to the project.
- Document work-process and output for use in future judicial settings.
- Use of multiple regression analysis to estimate overall risk for large class-action matters.
- Preparation of multiple regression analyses to estimate the compensation for each individual class member based on the relevant factors included in the model.
- Calculation of specific individual claims using cohort analyses.
- Computation of stock-option awards using the Black-Scholes valuation method.

ERS GROUP OVERVIEW

Established in 1981, ERS Group is a national leader in statistical and economic consulting with 25 Ph.D. economists and statisticians supported by 60 database analysts and research professionals. The firm provides in-house and outside counsel with analyses for matters related to antitrust, employment discrimination, affirmative action, wage and hour issues, fair lending, intellectual property, and compliance.

For more information, contact us at www.ersgroup.com or email us at info@ersgroup.com.