



## RESUME OF DR. JOHN P. BIGELOW

### **Senior Economist**

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### **PERSONAL INFORMATION**

Born on April 1, 1954. Married with one daughter.

### **PROFESSIONAL EXPERIENCE**

John P. Bigelow is a Senior Economist with the Princeton Economics Group. Dr. Bigelow has experience analyzing antitrust matters involving allegations of price-fixing, monopolization, price discrimination, and the competitive effect of proposed business combinations. He has also worked on intellectual property matters, analyzing lost profit from alleged violation of a licensing agreement, estimating damages from alleged copyright infringement, and measuring usage of copyrighted content for the purpose of setting fair and reasonable royalties. Dr. Bigelow has served as an expert witness on damages from price fixing and on class certification.

John Bigelow received his B.A. in economics *summa cum laude* from Tufts University where he was elected *Phi Beta Kappa*. He received his Ph.D. in economics from the University of Pennsylvania in 1981. As a graduate student he received the William Polk Carey Prize in economics, an Irwin Foundation Fellowship, and the Lawrence Robbins Prize in Economics.

Prior to joining the firm, Dr. Bigelow taught graduate and undergraduate economics at several universities including Yale University where he was Assistant Professor of Economics for five years. He has published articles on economic theory in various journals including the *International Economic Review* and the *Journal of Economic Theory*. He has taught courses in Economic Principles, Intermediate Price Theory, The Economics of Market Failure, Industrial Organization, and Mathematical Economics.

### **EDUCATION**

- Ph.D. Economics, 1981, University of Pennsylvania  
Dissertation Title: *Normative Aspects of Adverse Selection*  
Fields of Specialization: Economic Theory, Industrial Organization
  
- B.A. Economics, *Summa Cum Laude*, 1976, Tufts University

## **ACADEMIC HONORS**

William Polk Carey Prize in Economics, 1982  
University of Pennsylvania

Dean's Fellowship, 1979-1980 and 1980-1981  
University of Pennsylvania

Irwin Foundation Fellowship, 1979-1980  
University of Pennsylvania

Lawrence Robbins Prize in Economics, 1977  
University of Pennsylvania

Marion Ricker Houston Prize Scholarship in Economics, 1975  
Tufts University

*Phi Beta Kappa*, 1975  
Tufts University

## **CURRENT AND PAST POSITIONS**

Senior Economist  
Princeton Economics Group, Inc.  
October 1997 - Present

Louisiana State University  
Associate Professor of Economics  
July 1994 - May 1997

University of Missouri - Columbia  
Assistant Professor of Economics  
September 1987 - June 1994

University of Missouri - Columbia  
Director of Undergraduate Studies in Economics  
September 1988 - June 1991

Coopers & Lybrand  
Consultant  
June 1987 - August 1988

University of Iowa  
Visiting Assistant Professor of Economics  
September 1986 - June 1987

Yale University  
Assistant Professor of Economics  
July 1981 - August 1986

Cornell University  
Visiting Assistant Professor of Economics  
September 1985 - December 1985

Cornell University  
Visiting Scholar  
January 1985 - May 1985

## **PUBLICATIONS**

“Reverse Payments” in Settlements of Patent Litigation: Schering Plough, K-Dur, and the FTC (2005); (with Robert D. Willig); Case (Chapter) 9 in *The Antitrust Revolution* (5<sup>th</sup> edition); John E. Kwoka and Lawrence J. White (ed.s); Oxford University Press (2009), 248 - 275

Duality and Consumption Decisions under Income and Price Risk (with Carmen F. Menezes and X. Henry Wang); *Journal of Mathematical Economics* **41** (2005); 387 - 405

Antitrust Policy Towards Agreements That Settle Patent Litigation (with Robert D. Willig); *Antitrust Bulletin* Fall (2004); 655 - 698

Outside Risk Aversion and the Comparative Statics of Increasing Risk in Quasi-Linear Decision Models (with Carmen Menezes); *International Economic Review* **36** (1995); 643 - 673

The Area Monotonic Solution to the Cooperative Bargaining Problem (with Nejat Anbarci); *Mathematical Social Sciences* **28** (1994); 133 - 142

Consistency of Mean Variance Analysis and Expected Utility Analysis: A Complete Characterization; *Economics Letters* **43** (1993); 187 - 192

Non-Dictatorial, Pareto-Monotonic, Cooperative Bargaining: An Impossibility Theorem; with Nejat Anbarci; *European Journal of Political Economy* **9** (1993); 551 - 558

Inducing Efficiency: Externalities, Missing Markets, and the Coase Theorem; *International Economic Review* **34** (1993); 335 - 346

Warranties Without Commitment to Market Participation (with Russell Cooper and Tom Ross); *International Economic Review* **34** (1993); 85 - 100

Efficiency and Adverse Selection; *Journal of Economic Theory* **52** (1990); 380 - 405

Experts Against Adverse Selection: A Note on the Existence of Equilibrium with Costly Private Information; *Journal of Economic Theory* **37** (1985); 379 - 393

## **PRESENTATIONS**

The New Economics of Class Certification (with Peter Bronsteen and Andrew Abernethy); Arnold & Porter Antitrust Group Meeting, Washington, DC, October 25, 2007.

Antitrust Economics for Beginners; Pennsylvania Bar Institute Continuing Legal Education Program on the Fundamentals of Antitrust Law; Philadelphia, PA; June 24, 2004

Telecommunications Act of 1996 and Infrastructure Investment: Empirical Evidence (with Robert Willig, Steven Levinson, and William Lehr); Department of Justice Telecom Workshop; Washington, DC; July 23, 2002

Value Oriented Equilibria in Repeated Games with Complete Information; 1996 Southeastern Economic Theory and International Trade Conference; Miami, FL; November 1996

Outside Risk Aversion and the Comparative Statics of Increasing Risk (with Carmen Menezes); Spring 1993 Mid-West Mathematical Economics Meetings; Lexington, KY; May 1993

An Area Monotonic Solution to the Cooperative Bargaining Problem (with Nejat Anbarci); 1988 North American Winter Meetings of the Econometric Society; New York, NY; December 1988

Warranties Without Commitment to Market Participation (with Russell Cooper and Tom Ross); 1988 North American Summer Meetings of the Econometric Society; Minneapolis, MN; June 1988

The Endogenous Inducement of Efficient Behavior (Now re-titled as Inducing Efficiency: Externalities, Missing Markets, and the Coase Theorem); 1986 North American Winter Meetings of the Econometric Society; New Orleans, LA; December 1986

Efficiency and Adverse Selection; 1983 North American Winter Meetings of the Econometric Society; San Francisco, CA; December 1983

## **SELECTED CASES**

For Defendant, GlaxoSmithKline in *In re Wellbutrin SR Antitrust Litigation*, *Sheet Metal Workers Local 441 v. GlaxoSmithKline*, and *IBEW – NECA Local 505 Health & Welfare Plan v. SmithKline Beecham Corporation* analyzed class certification claims that impact and damages from allegedly anti-competitive conduct would be common to all members of proposed classes and could be proven with predominantly common evidence.

Filed expert reports, December 2006; Deposed January and February 2007.

(Continuing)

For a major group of entertainment service providers analyzed competitive conditions in the provision of copyrighted content and conducted statistical analysis of survey data to measure usage of copyrighted content in connection with judicially determined licensing fees.

(Continuing)

For defendant Investment Banks in Public Offering Fee Antitrust Litigation and Issuer Plaintiff Initial Public Offering Antitrust Litigation analyzed class certification claims that impact and damages from an alleged conspiracy to fix underwriting fees could be proven with predominantly common evidence.  
(Through May 2008)

For Satellite Radio providers, Sirius and XM in proceedings before the Copyright Royalty Board analyzed fair and reasonable royalties for broadcast of copyrighted content.  
(Through August 2007)

For defendant manufacturers of automotive refinishing paint in Automotive Refinishing Paint Antitrust Litigation analyzed liability, impact, and damages from an alleged conspiracy to fix prices.  
(Through September 2006)

For the manufacturer of an industrial intermediate product, analyzed measures of damages from alleged participation in a conspiracy to fix prices.  
(Through October 2005)

For defendant, PPG, in Flat Glass Antitrust Litigation analyzed economic and statistical evidence of prices and supply and demand conditions to assess plaintiffs' allegation that defendant had been part of an effective conspiracy to fix prices.  
(Through October 2005)

For defendant, Philip Morris USA, in Smith Wholesale Company, Inc., et al. v. Philip Morris USA Inc. analyzed market power and plaintiffs' allegation that marketing practices constituted anti-competitive price discrimination.  
(Through November 2004)

For Bertelsmann Music Group and Sony Corporation of America in merger review before the United States Federal Trade Commission analyzed the effect on competition of the joint venture Sony-BMG.  
(Through July 2004)

For defendants, Roche Vitamins Inc., Hoffmann-La Roche Inc., and F. Hoffmann-La Roche Ltd. in Vitamins Antitrust Litigation, analyzed pricing of mixed vitamin products relative to prices of their straight ingredients and calculated damages from alleged price fixing conspiracy.  
Filed expert report, June 2002 ; Deposed September 2002.  
(Through October 2003)

For A.T. & T. in the Triennial Review of Telecommunications Act of 1996 before the Federal Communications Commission carried out econometric analysis of the effect of unbundled network element prices on investment in telecommunications infrastructure.  
(Through September 2002)

For a manufacturer of a patented product analyzed economic and statistical evidence pertaining to allegations that a settlement of patent litigation with an allegedly infringing manufacturer amounted to an anti-competitive restraint of trade.

(Through August 2002)

For a manufacturer of a patented product analyzed lost profits due to price suppression resulting from improper competition by patent licensee.

(Through April 2002)

For Schering-Plough in The Matter of Schering-Plough Corporation and Upsher-Smith Laboratories, and American Home Products before the Federal Trade Commission analyzed the incentives to settle patent litigation. Complaint Counsel alleged that a settlement to patent litigation was an anti-competitive agreement among competitors.

(Through March 2002)

For the United States Department of Justice, analyzed the competitive effect of a proposed business combination.

(Through November 2000)

For defendant, Coca-Cola, in Pepsico Inc. v. The Coca-Cola Company analyzed plaintiff's allegation that defendant's agreements with food service distributors were anti-competitive.

(Through November 2000)

For a Fortune 500 manufacturer of consumer products analyzed proposed business combinations and allegations of unfair business practices in connection with proceedings before the European Union and various member states.

(Through September 2000)

For the United States Department of Justice, analyzed the competitive effect of a proposed business combination.

(Through November 1999)

For defendant manufacturers of flat glass in Flat Glass Antitrust Litigation, analyzed data on the prices charged for various flat glass products to assess whether class certification claims that liability, impact, and damages from alleged price fixing could be proven using common or class-wide evidence.

(Through October 1999)

For the United States Department of Justice, analyzed the competitive effect of a proposed business combination.

(Through December 1998)

For a Fortune 500 manufacturer of consumer products carried out a merger simulation analysis to assess the competitive effect of a proposed business combination.

(Through July 1998)

For plaintiffs General Motors, Chrysler, Ford, USX, and Republic Steel in Industrial Silicon Antitrust Litigation, analyzed liability and damages issues arising from their claim that ferrosilicon and silicon metal producers conspired to fix prices.  
(Through March 1998)

#### **OTHER PROFESSIONAL ACTIVITIES**

Membership in Professional and Academic Societies:

American Bar Association (Associate Membership) and Section on Antitrust

American Economic Association

Econometric Society

Referee:

*Rand Journal of Economics*

*International Economic Review*

*Journal of Economic Theory*

National Science Foundation