
DAVID M. EISENSTADT, Ph.D.

PRINCIPAL

Microeconomic Consulting & Research Associates, Inc. (MicRA)

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CURRICULUM VITAE

Education

1979 Ph.D., Economics, University of Illinois (Urbana-Champaign)

1975 M.S., Economics, University of Illinois (Urbana-Champaign)

1973 B.S., Economics, University of Maryland

Experience

Dr. Eisenstadt joined Microeconomic Consulting and Research Associates, Inc. as a founder and Principal in 1991. His experience includes antitrust work in the health care, real estate, cigarette, telecommunications, soft drink, toy, and energy industries, as well as the computation of damages in private antitrust and other commercial litigation.

Prior to joining MicRA, Dr. Eisenstadt was a Senior Vice President of ICF Consulting Associates. From 1984-1986, Dr. Eisenstadt was a Senior Economist at the consulting firm of Cornell, Pelcovits & Brenner Economists Inc., and prior to that was a Senior Economist at the U.S. Department of Justice, Antitrust Division in Washington, D.C.

Dr. Eisenstadt has been retained to provide economic advice and competitive analysis to hospitals or law firms in numerous proposed transactions among hospitals or other health care providers. In addition, he has been retained as an economic expert in many matters involving denial of staff privileges to physicians, and/or alleged monopolization or other alleged instances of unfair methods of competition among health care providers. Dr. Eisenstadt has also made numerous presentations to and/or appearances at the U.S. Department of Justice and/or the Federal Trade Commission regarding proposed mergers and or alleged exclusionary conduct. A partial listing (excludes current or confidential matters in which Dr. Eisenstadt's name has not yet been disclosed) of Dr. Eisenstadt's experience as a private consultant includes:

- Economic Expert in Allan et al. v. Realcomp II et al.
- Economic expert in UnitedHealth Group, Inc. v. Columbia Casualty Company, et al.
- Economic expert in Perinatal Medical Group et al. v. Children's Hospital Central California, et al.
- Consulting economist to University of Wisconsin Medical Foundation
- Consulting economist to Geisinger Health System in its proposed acquisition of Community Medical Center.
- Consulting economist to MCS Services Inc. in the matter of MCS Services, Inc. v. William T. Jones and Oce North America, Inc.
- Consulting economist to Lahey Health System in its proposed acquisition of Northeast Hospital Corporation.
- Economic expert in Oce North America v. MCS Services Inc., et al.,
- Consulting economist to National Association Chain Drugs Stores and National Community Pharmacists Association regarding the proposed merger of Medco and Express Scripts Inc.
- Economic expert in Illinois Department of Public Health, Project 10-089.
- Consulting economist to Central DuPage Hospital and Delnor Community Hospital.
- Consulting economist to Atlantic Health and Newton Memorial Hospital.
- Economic expert in Home Quarters v. MiRealSource and Realcomp II Ltd.
- Economic expert in Grand River Enterprises Six Nations, Ltd. v. Pryor, et al.
- Economic expert in Grand River Six Nations Ltd, Claimants v. United States of America.
- Economic expert in Wood v. Archbold Medical Center et al.
- Consulting economist to Meridian Health System and Southern Ocean County Hospital
- Consulting economist to Meridian Health System and Bayshore Community Hospital
- Economic expert in Wuesthoff Health System v. Health First Inc., et al., Case No. 05-2007-CA-029391, Eighteenth Judicial Circuit, Brevard County, Florida.

- Consulting economist to Maine Health in its proposed merger with Penobscot Bay Medical Center.
- Consulting economist to Maine Health in its merger with Southern Maine Medical Center.
- Consulting economist to Froedtert and Community Memorial Hospital (F&CH) and Synergy Health in the merger of F&CH and Synergy Health – West Bend Clinic.
- Consulting economist to Rush North Shore Medical Center and Evanston Northwestern Healthcare.
- Consulting economist to St. Mary’s Medical Center and Baptist Health System, Knoxville, TN.
- Consulting economist to Robert Wood Johnson, New Brunswick, N.J.
- Economic expert in In the Matter of Realcomp II Ltd.
- Economic expert in JBS Technologies v. Matsushita Electric Corporation of America.
- Economic expert in Wuesthoff Memorial Hospital v. Agency for Health Care Administration, DOAH Case No. 06-0571 CON, CON No. 9881.
- Economic expert in Four Corners Nephrology Associates et al. v. Mercy Medical Center of Durango.
- Economic expert in Wuesthoff Health System v. Health First Inc. et al.
- Economic and consulting expert for Highmark Blue Cross Blue Shield of Western Pennsylvania (numerous matters).
- Consulting expert for Froedtert and Community Memorial Hospital and Columbia and St. Mary’s Health System, Milwaukee, WI.
- Deposition testimony in HCBCG v. Hawaii Pacific Health, et al.
- Consulting economist to HealthNow New York, Inc. (Blue Cross-Blue Shield of Western New York).
- Consulting economist to Coventry Health Care.
- Economic expert on behalf of Madison Hospital in Alabama CON hearing, Huntsville, Alabama.
- Consulting economist to McLaren Health System.

- Consulting economist to New York State Attorney General in GHI-HIP.
- Consulting economist to Northeast Medical Center and Carolinas Health System.
- Economic expert and Med-Alert v. Atlantic Health System, et al.
- Deposition and hearing testimony in Holmes Regional Medical Center (HRMC) v. State of Florida.
- Economic expert in Federal Trade Commission v. Piedmont Health Alliance.
- Economic expert in Baptist Health System v. Covenant Health Inc. (Arbitration).
- Economic expert in Quanex Corporation and Affiliated Subsidiaries v. Commissioner of Internal Revenue.
- Economic expert in Kochert v. Greater Lafayette Health Services.
- Economic expert in Abraham v. Intermountain Health Care.
- Economic expert on behalf of Vista Health.
- Economic expert in Rome Ambulatory Surgery Center v. Rome Memorial Hospital.
- Economic expert in Goodstein v. Queens Physician Associates (American Arbitration Association).
- Economic expert in American Health Lawyers Association Alternative Dispute Resolution Service In the Matter of Healthnow New York, Inc. and Catholic IPA, LLC.
- Economic expert in Adventist Health System/Sunbelt, Inc., d/b/a/ Florida Hospital v. Florida Agency For Health Care Administration.
- Economic expert in Gateway Contracting Services v. Sagamore Health Network, Inc. et al.
- Economic expert in Highmark et al. v. UPMC Health System.
- Economic expert in Coventry Health Care of Kansas Inc. v. Via Christi Health System, Inc. et al.
- Economic expert in West Penn Allegheny Health System et al. v. UPMC Health System.
- Economic expert in Welborn Clinic v. St. Mary's Medical Center of Evansville, Indiana.
- Economic expert in Health America v. Susquehanna Health System.

- Economic expert in Cardiac Institute General Partnership v. Banner Health System, et. al.
- Economic expert in the Application of Wellmont Washington County Hospital, CON Number CN0007-59, Before the Tennessee Health Facilities Commission.
- Economic expert in Snyder v. Microchip Technology United States District Court for the Southern District of Ohio Eastern Division, Civil Action No. C2-98-416.
- Economic expert in Holmes Regional Medical Center v. Agency For Health Care Administration and Wuesthoff Memorial Hospital.
- Economic expert in Babb vs. Penn State Geisinger Health System.
- Economic expert in State of New York et al. v. Toys “R” Us.
- Economic expert in the matter of New York Telephone Company’s Proposal to Discontinue Offering Information Services.
- Economic Expert in Temple University, Inc., v. Mercy Health Plan, et al.
- Economic Expert in Wuesthoff Health Systems v. Health First, Inc., et al.
- Economic expert in Marshall v. Planz et al.
- Economic expert in Hylton v. St. Vincent Hospital, et al.
- Economic expert in HTI Health Services, Inc. v. Quorum Health Group Inc., et al.
- Economic expert in Federal Trade Commission v. Butterworth Health Corporation et al., Grand Rapids, MI.
- Economic expert in Albani, et al. v. Southern Arizona Anesthesia Services, Tucson, AZ.
- Economic expert in The Care Group v. Creef, et al., Baltimore, MD.
- Economic expert in Sokol v. Akron General Hospital.
- Consulting economist to Harrowston, Inc.
- Consulting economist to Health America and Coventry Health Care.
- Consulting economist to Vanderbilt University Hospital.
- Consulting economist to Coventry Health System and Health America.
- Consulting economist to St. Mary’s Medical Center, Evansville, IN.

- Consulting economist in the matter of Anthony D. Viazis, D.D.S., v. American Association of Orthodontists, Southwestern Society of Orthodontists, and Greater Dallas Association of Orthodontists.
- Consulting economist to Chesapeake Hospital, Chesapeake, VA.
- Consulting economist to Sisters of Mercy, Northwest IN.
- Consulting economist to Woman's Clinic Inc., Springfield, MO.
- Consulting economist to Educators Mutual Life Insurance Company and Central Penn Healthcare.
- Consulting economist to Methodist-Jackson Hospital and Methodist Healthcare Systems, Memphis, TN, and Jackson, TN.
- Consulting economist to Sisters of St. Francis, Mishawaka, Indiana.
- Consulting economist to Cape Fear Valley Health System and Columbia Highsmith-Rainey Hospital, Fayetteville, NC.
- Consulting economist to Grace Hospital and the Charlotte-Mecklenburg Hospital Authority.
- Consulting economist to Long Island Health Network.
- Consulting economist to Merced Community Medical Center, Merced, CA.
- Consulting economist to North Oakland Medical Center, Pontiac, MI.
- Consulting economist to Michigan Affiliated Health System and McLaren Regional Medical Center, Lansing and Flint, MI.
- Consulting economist to Adventist HealthCare, Inc.
- Consulting economist to Fallon Health System, Worcester, MA.
- Consulting economist to Allentown Osteopathic Hospital and Sacred Heart Hospital, Allentown, PA.
- Consulting economist to Hallmark Health.
- Consulting economist to the University of Maryland Medical System.
- Consulting economist to Highmark Blue Cross and Blue Shield.

- Consulting economist to Baptist Hospital in Montgomery, AL.
- Consulting economist to Alliant Health System, Louisville, KY.
- Consulting economist to Duke University Medical System.
- Consulting economist to St. Vincent Hospital, Indianapolis, IN.
- Consulting economist to Winthrop-South Nassau and Catholic Hospitals of Long Island.
- Consulting economist to St. Elizabeth's and Lafayette Home Hospitals, Lafayette, IN.
- Consulting economist to the Connecticut Attorney General in its review of University of Connecticut Hospital System's consolidation with Hartford Hospital.
- Consulting economist to Respiroics and Healthydyne Technologies.
- Consulting economist to Kingston, Northern Dutchess and Benedictine Hospitals, Kingston, NY.
- Consulting economist to Suffolk Healthcare Coalition, Long Island, NY.
- Consulting economist to Kent General and Milford Memorial Hospital, Dover, DE.
- Consulting economist to New York Hospital.
- Consulting economist to Duke University Medical Center and Durham Regional Hospitals, Durham, NC.
- Consulting economist to Mainline-Jefferson Health System, Philadelphia, PA.
- Consulting economist to South Jersey Health System and Newcomb Medical Center, Vineland, NJ.
- Consulting economist to the Cleveland Clinic, Cleveland, OH.
- Consulting economist to Capital Health Network, Albany, NY.
- Consulting economist to Chester County and Brandywine Hospitals, W. Chester, PA.
- Consulting economist to Wesley Long and Moses Cone Hospitals in Greensboro, NC.
- Consulting economist to Kenosha Memorial and St. Catherine's Hospitals, Kenosha, WI.
- Consulting economist to Berkshire Health System, Pittsfield, MA.

- Consulting economist to Mary Black and St. Francis Hospitals, Greenville, SC.
- Consulting economist to St. Vincent's, St. Francis, and Community Hospitals, Indianapolis, IN.
- Consulting economist to St. Vincent-Community Health Network, Indianapolis, IN.
- Consulting economist to Woman's Hospital, Baton Rouge, LA.
- Consulting economist to St. Luke's and Quakertown Hospitals, Bethlehem, PA.
- Consulting economist to Floyd Medical Center, Gordon Hospital and Hamilton Medical Center, N.W. GA.
- Consulting economist to Hudson Health Network, Jersey City, NJ.
- Consulting economist to Providence Memorial and Sierra Medical Center, El Paso, TX.
- Consulting economist to HSI-Qualmed Plans of Pennsylvania.
- Consulting economist to the Missouri Department of Insurance.
- Consulting economist to Shands-U. of FL. Hospital and Alachua General Hospital, Gainesville, FL.
- Economic expert in Howerton, et al. v. Grace Hospital, et al., Morganton, NC.
- Economic expert in Healow v. St. Vincent's Hospital, Billings, MT.
- Economic expert in Hylton v. St. Vincent's Hospital, Billings, MT.
- Economic expert in Ertag, et al. v. Naples Community Hospital, Naples, FL.
- Economic expert in J. Michael Becker, D.C., et al. v. Blue Shield of Southwestern Virginia, et al.
- Economic expert in Major v. U.S.
- Consulting economist to Promina Healthcare Systems, Atlanta, GA.
- Consulting economist to Northwest Georgia Health Systems, Piedmont and Gwinnett Hospitals, Atlanta, GA.
- Consulting economist to Maine Medical Center and Brighton Medical Center, Portland, ME.

- Consulting economist to Freeman and Oak Hill Hospitals, Joplin, MO.
- Consulting economist to Rochester General and the Genessee Hospital, Rochester, NY.
- Consulting economist to St. Joseph's and Memorial Mission Hospitals, Asheville, NC.
- Consulting economist to Multicare Health Systems, Tacoma, WA, and Swedish Medical Center, Seattle, WA.
- Consulting economist to Winchester Medical Center, Winchester, VA.
- Consulting economist to INOVA Health System, Springfield, VA.
- Consulting economist to St. Joseph Medical Center and Lutheran Hospital of Indiana, Fort Wayne, IN.
- Consulting economist to Waukesha Memorial Hospital, Waukesha, WI.
- Consulting economist to Medical Center at Bowling Green, KY.
- Consulting economist to Asbury-Salina Regional Medical Center and St. John's Regional Health Center, Salina, KS.
- Consulting economist to Medical Center of Central Massachusetts and Saint Vincent Hospital, Worcester, MA.
- Consulting economist to Morristown Memorial Hospital, Overlook Hospital and Mountainside Hospital, Northern NJ.
- Consulting economist to Multicare Health System and Tacoma General Hospital, Tacoma, WA.
- Consulting economist to St. Mary's Hospital and Howard Young Medical Center, Rhinelander, WI.
- Consulting economist to Mercy and St. Luke's Hospitals in Davenport, IA.
- Consulting economist to St. Elizabeth's Hospital and Mercy Medical Center, Fox River Valley, WI.
- Consulting economist to Ingham Medical Center and Lansing General Hospital, Lansing, MI.
- Consulting economist to Mercy and Holyoke Hospitals, Springfield, MA.
- Consulting economist to University of Wisconsin Clinical Practice Plan, University of

Wisconsin Medical Foundation, and Physicians Plus Medical Group.

- Consulting economist to St. Joseph's and St. Francis Medical Centers, Wichita, KS.
- Consulting economist to St. Clare's Hospital and Dover General Hospital, Dover, NJ.
- Consulting economist to Main Line Health, Inc., Radnor, PA.
- Consulting economist to Iowa Lutheran and Methodist Hospitals, Des Moines, IA.
- Consulting economist to Lahey Clinic, Boston, MA.
- Consulting economist to Women and Infants and Kent County Hospitals, Providence, RI.
- Economic expert in EGH, Inc., doing business as Eastmoreland Hospital v. Blue Cross and Blue Shield of Oregon, et al., Portland, OR.
- Economic expert in Advanced Health-Care Services, Inc. v. Giles Memorial Hospital, et al., Giles County, VA.
- Consulting economist to Jefferson Health System, Philadelphia, PA.
- Economic expert in Stiteler, et al. v. Lutheran Hospitals and Homes Society of America, Spearfish, ND.
- Consulting economist to Defendants in American Health Systems v. Liberty Health Systems, et al., Delaware County, PA.
- Consulting economist to Visiting Nurse Association of Philadelphia in the matter of AHS v. VNA, et al., Philadelphia, PA.
- Consulting economist to Mercy Health Corporation in Philadelphia, PA.
- Consulting economist to McLaren and LaPeer Regional Medical Centers, Flint-LaPeer, MI.
- Consulting economist to Radiation Medicine Associates of Scranton, PA.
- Consulting economist to Washington Managed Imaging, Seattle, WA.
- Economic expert in Rourke v. Lowell General Hospital, Lowell, MA.
- Consulting economist to St. Joseph Hospital and University Hospital, Augusta, GA.
- Consulting economist to Franciscan and United Medical Centers, Moline-Rock Island, IL.

- Consulting economist to Baptist and Memorial Hospitals, Jacksonville, FL.
- Consulting economist to Abbott Labs and Fresenius.
- Economic expert in U.S. Healthcare, Inc., et al. v. Healthsource, Inc., et al., Concord, NH.
- Economic expert in Bellavia, et al. v. Hackensack Medical Center, et al., Hackensack, NJ.
- Economic expert in Wei v. Bodner, et al., Hackettstown, NJ.
- Economic expert in Williamson, et al. v. Sacred Heart Hospital, et al., Pensacola, FL.
- Consulting economist in the matter of Sentara Health Systems' acquisition of Humana Bayside Hospital, Virginia Beach, VA.
- Consulting economist to Dominican Hospital, Santa Cruz, CA.
- Consulting economist to Pennsylvania Blue Shield and Independence Blue Cross in the joint venture of Keystone and Delaware Valley HMOs, Philadelphia, PA.
- Consulting economist to CIGNA and Equicor in CIGNA's acquisition of Equicor.
- Consulting economist in the matter of Sentara Health Systems proposed acquisition of Chesapeake Hospital.
- Consulting economist to Swedish Medical Center and Ballard Hospital in Seattle, WA.
- Economic expert in M&M v. Pleasant Valley Hospital, Point Pleasant, WV.
- Consulting economist in Fort Sanders Regional Medical Center's acquisition of HCA Park West Hospital in Knoxville, TN.
- Consulting economist to St. Mary's and St. Luke's Hospitals in Racine, WI.
- Economic expert in Shah v. Danville Memorial Hospital, Danville, VA.
- Consulting economist to St. Ansgar Hospital, Moorhead, MN.
- Economic expert in Cypress Recreation Center Ltd. v. Pepsi-Cola Bottling Company, et al.
- Economic expert in U.S. v. Carilion Health System, Roanoke, VA.
- Consulting economist to St. Elizabeth's and Lakeview Hospitals, Danville, IL.
- Consulting economist to Community General Hospital and The Reading Hospital and

Medical Center, Reading, PA.

- Consulting economist to Community Medical Insurance Company in CMIC v. Blue Cross Association, Cincinnati, OH.
- Economic expert in NBA v. BCBS of Alabama.
- Economic expert in Snyder Distributing v. Ohio Bell.
- Plaintiff's damage study in Gressman v. People's Service Drug Stores.
- Assisted in the preparation of a report that analyzed the effect of a Federal Home Loan Bank Board Rule governing direct investments of FSLIC insured Savings and Loans.
- Assisted in the preparation of an analysis that explained the relationship between concentration and profitability in the elevator industry.
- Assisted in the preparation of a report to DOT regarding the competitive effects of airline ownership of computerized reservation systems.
- Assisted in the preparation of a defendant's damage study in a major class action suit against a large pharmaceutical company.
- Economic expert in White v. Rockingham Memorial Hospital.
- Economic expert in Driscoll v. Medical Center Hospital.
- Oral and written presentation of a report to U.S. Department of Justice and Virginia Attorney General regarding the competitive effects of a merger between two Blue Cross plans.
- Coauthored a report assessing the competitive benefits of continued regulation of a petroleum products pipeline.
- Assisted in the analysis of a merger between General Electric and CGR, computerized tomography manufacturers.

From 1979-1984, Dr. Eisenstadt was employed by the Department of Justice, Antitrust Division, as an Economist in the Economic Policy Office. Some of his experience in the Antitrust Division included:

- Affidavit testimony in U.S. v. Beverly Enterprises.
- Competitive analysis of several other nursing home acquisitions or hospital mergers.
- Competitive analysis of possible physician domination of third parties in several

Departmental investigations of Blue Shield plans, physician-sponsored IPAs, and PPOs.

- Member of a Department of Justice Task Force assessing relief options in U.S. v. IBM.
- Competitive analysis of matters involving vertical restraints including resale price maintenance, tying arrangements, and exclusive dealing.

Testimony

October 2008 – October 2012

- Expert report and deposition testimony in Allen et al. v. Realcomp II Ltd. et al., 2:10-cv-14046, United States district Court for the Eastern District of Michigan.
- Expert report and deposition testimony in Oce North America, Inc. v. MCS Services, Inc. et al. Case No. WMN-10-0984, United States District Court District of Maryland.
- Expert report and deposition testimony in UnitedHealth Group v. Columbia Casualty Corporation et al., No. 05-CV-1289, United States District Court for the District of Minnesota.
- Expert report and hearing testimony in Illinois Department of Health Project 10-089.
- Expert report and deposition testimony in the matters of Wuesthoff Health Systems, Inc. v. Health First, Inc. et al. 05-2007-CA-019391 and Hynes et al. v. Health First, Inc. et al., No. 05-2007-CA-19182, Eighteenth Judicial Circuit, Brevard County, Florida.
- Expert report and deposition testimony in Home Quarters Real Estate Group, LLC v. MiRealSource and Realcomp II, Ltd., Case No. 07-12090. United States District Court, Eastern district of Michigan.
- Expert reports and deposition testimony in Grand River Enterprises Six Nations, Ltd., et al. v. Pryor et al., Case No. 02 CV 5068.
- Expert reports in Grand River Six Nations Ltd, Claimants v. United States of America, Respondent, Under the Arbitration Rules of the United Nations Commission on International Law and the North American Free Trade Agreement.
- Expert reports and deposition testimony in Wood v. Archbold Medical Center et al., Case, No. 7:07-CV-109.

Prior to October 2008

- Expert reports, hearing and deposition testimony and in In the matter of Realcomp II Ltd., Docket 9320.

- Expert report in Wuesthoff Health System v. Health First Inc.
- Expert report in Four Corners Nephrology Associates et al. v. Mercy Medical Center of Durango.
- Expert report and deposition testimony in HCBCG v. HPH, et al., Civil No., 02-1-0090-01.
- Expert report and deposition testimony in Med Alert Ambulance, Inc. v. Atlantic Health System, Inc., et al., United States District Court, District of New Jersey, CA 04-1615.
- Expert report, hearing testimony and deposition testimony, in Wuesthoff Memorial Hospital vs. Agency for Health Care Administration, DOAH Case No. 06-057 1, CON No. 9881.
- Expert report and deposition testimony in JBS Technologies v. Matsushita Electric Corporation of America, Case No. 03-CV524, Court of Common Pleas, Jefferson County Ohio.
- CON hearing testimony on behalf of Madison Hospital, Alabama State Health Planning and Development Agency, Project No. AL 2005-035A.
- Expert report, hearing and deposition testimony, in Holmes Regional Medical Center v. State of Florida, Agency for Health Care Administration, DOAH Case No. 04-2810CON.
- Expert report in Federal Trade Commission v. Piedmont Health Alliance.
- Expert report and trial testimony in Quanex Corporation and Affiliated Subsidiaries v. Commissioner of Internal Revenue, Docket Number 12642-01.
- Expert reports in Rome Ambulatory Surgery Center v. Rome Memorial Hospital.
- Expert report, hearing testimony and deposition testimony in Abraham v. Intermountain Health Care.
- Expert report and deposition testimony in Kochert v. Greater Lafayette Health Services.
- Arbitration testimony in Goodstein v. Queens Physician Associates (American Arbitration Association).
- Expert reports in Health America et al. v. Susquehanna Health Services, et al.
- Expert report in American Health Lawyers Association Alternative Dispute Resolution Service In the Matter of Healthnow New York, Inc. and Catholic IPA, L.L.C.
- Expert report, hearing and deposition testimony in Adventist Health System/Sunbelt, Inc. d/b/a Florida Hospital (petitioner) vs. Florida Agency For Health Care Administration.

- Expert report and deposition testimony in Gateway Contracting Services v. Sagamore Health Network, Inc. et al.
- Expert report in Welborn Health Plan v. St. Mary's Medical Center (Arbitration).
- Expert report in Coventry Health Care of Kansas, Inc. vs. Via Christi Health System.
- Expert report and deposition testimony in Highmark et al. v. UPMC Health System.
- Expert reports in Babb vs. Penn State Geisinger Health System.
- Expert report in Anthony D. Viazis, et al., v. American Association of Orthodontists, et al., (co-authored with Frederick Warren-Boulton).
- Expert report in support of Wellmont Washington County Hospital Application for Certificate of Need, CON Number CN00007-59, Before the Tennessee Health Facilities Commission, October 2000.
- Deposition testimony in Snyder v. Microchip Technology. United States District Court for the Southern District of Ohio Eastern Division, Civil Action No. C2-98-416.
- Expert report and deposition testimony in Wuesthoff Health Systems v. Health First Inc., et al., In The United States District Court Middle District of Florida Orlando Division, Case No. 98-208-C IV-19(c).
- Affidavit testimony in the United States District Court For The Eastern District of New York v. Toys "R" US, 98 M.D.L. 1211 (NG) (JLC).
- Hearing testimony in Holmes Regional Medical Center v. Agency for Health Care Administration and Wuesthoff Memorial Hospital, State of Florida Division Of Administrative Hearings, Case No. 97-4289.
- Affidavit testimony in the matter of New York Telephone Company's Proposal to Discontinue Offering Information Services.
- Expert report in the matter of Temple University Hospital, Inc. v. Mercy Health Plan, et al.
- Expert report and deposition testimony in Marshall v. Planz et al., In United States District Court for the Middle District of Alabama Southern Division, Case Number 97-T-793-S.
- Trial testimony in Hylton v. St. Vincent Hospital.
- Deposition and trial testimony in HTI Health Services, Inc. v. Quorum Health Group, Inc., et al., In The United States District Court For The Southern District Of Mississippi Western Division, Civil Action No. 5:96-CV-108Br (S).

- Deposition and trial testimony in Federal Trade Commission v. Butterworth Health Corporation, et al., United States District Court Western District Of Michigan Southern Division, Case No. 1 :96-CV-49.
- Expert reports and deposition testimony in Parikh v. Franklin Medical Center, United States District Court For The District Of Massachusetts, Civil Action No. 95-3011 1-MAP.
- Deposition testimony in Independence Blue Cross v. Pennsylvania Insurance Department.
- Deposition testimony in Ertag, et al. v. Naples Community Hospital, In the United States District Court Middle District of Florida Southern Division. Docket No. 92-341-CIVFTM-25D.
- Expert report, deposition and trial testimony in Albani, et al. v. Southern Arizona Anesthesia Services, The United States District Court for the District of Arizona, No. Civ. 91-588 TUC CRW (JMR).
- Deposition testimony in Major v. U.S.
- Expert report and deposition testimony in Howerton, et al. v. Grace Hospital, et al., In The United States District Court For The Western District Of North Carolina Shelby Division, Civil Action File No. SH-C-90-1 87.
- Expert report and deposition testimony in Advanced Health-Care Services, Inc. v. Giles Memorial Hospital, et al., United States District Court Western District of Virginia Roanoke Division, Case No. 88-0346-R.
- Deposition and trial testimony in The Care Group v. Creef, et al., In The United States District Court For The District Of Maryland, Civil Action No. S 92-1648.
- Affidavit testimony in J. Michael Becker, D.C., et al. v. Blue Shield of Southwestern Virginia, et al., In The United States District Court For the Western District of Virginia Roanoke Division, Civil Action No. 81-0320-R.
- Expert report and deposition testimony in EGH Inc., doing business as Eastmoreland Hospital v. Blue Cross and Blue Shield of Oregon, et al., In The United States District Court For the District of Oregon, No. CV 90-1210-FR.
- Deposition and trial testimony in the matter of U.S. Healthcare, Inc., et al. v. Healthsource, Inc., et al., United States District Court District of New Hampshire, Civil Action No. 91-113-D.
- Expert report and deposition testimony in the matter of Bellavia v. Hackensack, et al., United States District Court for the District of New Jersey, Civ. No. 87-3698.

- Affidavit and supplemental affidavit testimony in Williamson v. Sacred Heart Hospital, et al., In The United States District Court For the Northern District of Florida, Case No. 89-30084 WS.
- Expert report in the matter of Wei v. Bodner, et al., United States District Court for the District of New Jersey. Civil Action No. 89-1137 (AET), Feb. 12, 1991.
- Trial testimony in King v. U.S.A., United States District Court Eastern District Of Michigan Southern Division, No. 87-CV-10199-BC.
- Affidavit testimony in Cypress Recreation Center Ltd. v. Pepsi-Cola Bottling Company et al., In The United States District Court For The Southern District of Florida, Civil Case No. 89-6248 CIV-ROETTGER.
- Verified statement filed with the Maryland Department of Insurance in the matter of CIGNA's acquisition of Equicor.
- Affidavit testimony in NBA v. BCBS of Alabama, In The United States District Court For The Middle District of Alabama Northern Division, Civil Action No. CV 88-H-426-N.
- Deposition testimony in Snyder v. Ohio Bell.
- Expert report, trial and testimony in U.S. v. Carilion Health System, et al., United States District Court for the Western District of Virginia Roanoke Division, Civ. Action No. 88-0249-R.
- Affidavit testimony in U.S. v. Beverly Enterprises, Civil Action No. 84-70-1-MAC.
- Affidavit testimony in M&M v. Pleasant Valley Hospital, Civil Action No. A:88-1099.

Teaching Experience

- Graduate Teaching Assistant in Microeconomics and Business Statistics at the University of Illinois, Urbana-Champaign.
- Assistant Professor, Department of Economics at the University of Missouri. Courses taught included Antitrust Economics, Industrial Organization, Intermediate Microeconomics, Medical Economics and Intermediate Econometrics.

Selected Publications and Presentations

Speaker Joint Department of Justice and Federal Trade Commission Hearings on Health Care and Competition Law and Policy, Spring 2003

Serdar Dalkir, David Eisenstadt, Ari Gerstle, and Robert T. Masson, "Complementary Goods,

Monopoly vs. Monopoly Power: A Reassessment of Merger Effects," MICRA Working Paper, February 2002.

Eisenstadt, D., "Hospital Competition and Costs: The *Carilion* Case (1989)," *The Antitrust Revolution: The Role of Economics, 2nd Edition*, John Kwoka and Lawrence J. White, Editors, 1994.

Eisenstadt, D., "Product Market Definition in Health Antitrust Cases: Concept and Application," Speech before the National Health Lawyers Association, February 1994.

Eisenstadt, D., "Health Care Antitrust Analysis: Thinking Through the Issues," Speech and paper presented at Trends in Antitrust Health Care Conference sponsored by the American Bar Association, October 1990.

Eisenstadt, D. and R.T. Masson, "Price Effects from Recent Non-Profit Hospital Mergers," Paper presented at the American Public Health Association Meetings, October 23, 1989.

Eisenstadt, D., "Type and Form of Economic Evidence Important to Analysis of Hospital Mergers: Case Studies of Roanoke and Rockford District Court Decisions," *Hospital Mergers: An Executive's Guide Through the Antitrust Thicket*, American Hospital Association, September 1989.

Eisenstadt, D., "Economic Testimony in U.S. v. Carilion Health Systems: Some Thoughts From the Defendants' Economist," Speech before the National Health Lawyers Association, January 26, 1989.

Eisenstadt, D., "Geographic Market Definition in the Nursing Home and Hospital Industries," Paper presented at the American Bar Association Meetings, August 1984.

Eisenstadt, D., "An Antitrust Economist's View of Licensure," Speech before the National Clearinghouse on Licensure, Enforcement and Regulation, August 1983.

Eisenstadt, D. and T. Kennedy, "Physician Controlled Health Insurance Plans and the Coverage of M.D. -Substitutes," Paper presented at the Eastern Economic Association Meetings, March 1983.

Schwartz, M. and D. Eisenstadt, "Vertical Restraints," *Economic Policy Office Working Paper #82-8*, December 1982.

Arnould, R. and D. Eisenstadt, "The Effects of Medical Society Control of Blue Shield on Fees in the Physicians' Services Market: Some Preliminary Evidence," *Quarterly Review of Economics and Business*, Spring 1982.

Arnould, R. and D. Eisenstadt, "The Effects of Provider-Controlled Blue Shield Plans: Regulatory Options," *A New Approach to the Economics of Health Care*, Mancur Olson, ed., American Enterprise Institute, 1981.

Eisenstadt, D. and T. Kennedy, "Control and Behavior of Non-Profit Firms: The Case of Blue Shield," *Southern Economic Journal*, July 1981.

Awards and Affiliations

Outstanding Performance Rating, U.S. Department of Justice, 1983, 1984

Special Achievement Award, U.S. Department of Justice, 1980

Member, American Hospital Association Task Force Analyzing Hospital Mergers, 1988-1989

Member, American Bar Association Task Force studying ancillary activities by hospitals