

November 2018

## **David G. Tucek**

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### **PROFESSIONAL EXPERIENCE**

I currently provide economic consulting services in tort actions involving personal injury, wrongful death and wrongful termination. Since May of 2005, I have been retained in over 150 cases as a named and unnamed expert.

I have over twenty-five years experience as a professional economist in the transportation and telecommunication industries. Past duties included managing staffs ranging from two to seventeen individuals, developing general economic and customer demand forecasts, providing direct and rebuttal testimony in regulatory proceedings, withstanding oral cross examination, conducting technical workshops, and monitoring the discovery process.

### **TEACHING EXPERIENCE**

Taught graduate and undergraduate economics and statistics courses at the University of Phoenix.

Developed and delivered training seminars dealing with OLS regression analysis, probability and statistics, and the calculus of optimization.

Teaching assistant for an introductory microeconomics course at the University of Missouri for four semesters.

### **EDUCATION**

St. Louis University  
Master of Business Administration, May 1996.

DePaul University  
12 Quarter Hours of Graduate Statistics, 1978.

University of Missouri  
MA, Economics, January 1976.

Southeast Missouri State University  
BS, Mathematics and Economics, December 1973.

## PROFESSIONAL AFFILIATIONS

American Academy of Economic and Financial Experts

Member of the Board of Directors, April 2007 to April 2010.

Special editor for the *Journal of Legal Economics*, December 2008 to December 2017.

Reviewer, *Journal of Legal Economics*.

Missouri Valley Economic Association

National Association for Business Economics

National Association of Forensic Economics

Vice President at Large, January 2017 to present.

Reviewer, *Journal of Forensic Economics*.

Western Economic Association International

## FORENSIC ECONOMIC TESTIMONY

### Illinois

Deposition on behalf of the plaintiff in Randy Pruden vs. Kieffer Brothers Construction Company, *et al.*, Civil Action No. 11-1038-MJR-SCW, United States District Court, Southern District of Illinois. October 2012.

Deposition on behalf of the plaintiff in Thomas Hill vs. Castrol Industries, North America, Inc., *et al.*, Case No. 05-L328, Circuit Court of the Third Judicial Circuit, Madison County, Illinois. June 2007.

Deposition on behalf of the plaintiff in Michael DeSherlia vs. Castrol Industries, North America, Inc., *et al.*, Case No. 05-L329, Circuit Court of the Third Judicial Circuit, Madison County, Illinois. June 2007.

Telephonic deposition on behalf of the defendants in Stephanie K. Rydin v. Benito M. Camacho, M.D., *et al.*, Case No. 02-L283, Circuit Court of the Tenth Judicial Circuit, Peoria County, Illinois. May 2006.

### Missouri

Deposition on behalf of the defendant in Sonia Kuesner versus Justin Wooten, Case No. 1:17-CV-00057-AGF, United States District Court for the Eastern District of Missouri, Southeastern Division. April 2018.

Deposition on behalf of the defendant in Joyce Davis *et al.* versus Mercy Hospital Lebanon, *et al.*, Cause No. 15LA-cc00064, 26th Judicial Circuit Court, Laclede County, Missouri. February 2018.

Deposition on behalf of the defendant in Charles Mems and Elaine Mems v Duane LaBruyere, Cause No. 1622-CC00206, Division No. 1, 22nd Judicial Circuit Court, City of St. Louis, Missouri. November 2017.

Deposition on behalf of the defendant in Ramakrishna Vallurupalli v Robert A. McDonald, Secretary of Veteran Affairs, Case No. 16-CV-1255, United States District Court for the Eastern District of Missouri, Eastern Division. September 2017.

Deposition on behalf of the defendant in Catherine Reade versus Mercy Hospital Springfield, *et al.*, Cause No. 1531-CC01016, 31st Judicial Circuit Court of Greene County, Missouri. June 2017.

**FORENSIC ECONOMIC TESTIMONY (continued)**

Missouri (continued)

Telephonic testimony at a hearing regarding the application of §538.220 RSMo, in Emilee Williams versus Mercy Clinic Springfield Communities, *et al.*, Case No. 1531-CC00861, 31st Judicial Circuit Court of Greene County, Missouri. March 2018.

Deposition on behalf of the defendant in Lay versus St. John's Mercy Medical Center, *et al.*, Case No. 12SL-CC00150, Division No. 15, 21st Judicial Circuit Court of St. Louis County, Missouri. December 2016.

Deposition on behalf of the defendant in Edie Housel, *et al.* versus The Home Depot U.S.A., Inc., *et al.*, Case No. 14-CV-05084-MDH, United States District Court, Western District of Missouri, Southwestern Division. February 2016 and April 2016.

Deposition on behalf of the defendant in Jamie B. Wilkinson versus Kemutec Group, Inc., *et al.* Case No. 12LW-CC00114, 39th Judicial Circuit Court of Lawrence County, Missouri. September 2015.

Deposition on behalf of the defendant in Deborah Sellek, *et al.* versus IDC, *et al.* Case No. 13SN-CC00134, 39th Judicial Circuit Court of Stone County, Missouri. July 2015.

Deposition on behalf of the defendant in Joanne Jones, *et al.* versus Union Pacific Railroad, *et al.* Case No. 12BT-CV01356, 36th Judicial Circuit Court of Butler County, Missouri. February 2015.

Deposition on behalf of the defendant in Robert Hulett vs. Shawn A. Lane and Dunbar Armored, Inc. Case No. 11BA-CV01128, Division No. 2, 13th Judicial Circuit Court of Boone County, Missouri. July 2014.

Deposition on behalf of the plaintiffs in Aja L. Johnson and Cory W. Vanloo vs. Misty C. Day, M.D., *et al.*, Case No. 13SL-CC03525, Division No. 16, 21st Judicial Circuit Court of St. Louis County, Missouri. June 2014.

Testimony at trial on behalf of the defendant in Dirk Askew *et al.* vs. The United States of America. Case No. 4:12CV152 HEA, United States District Court for the Eastern District of Missouri. October 2013.

Testimony at trial on behalf of the defendant in Louis Mayes v. Steak Nø Shake, Cause No. 07JE-CC00120, Division No. 6, 23rd Judicial Circuit Court of Jefferson County, Missouri. April 2013.

Deposition on behalf of the plaintiff in Jerry Bieser v J. E. Phillips and Sons, Case Number 4:12CV-00386-JAR, United States District Court for the Eastern District of Missouri. April 2013.

Deposition on behalf of the defendant in Louis Mayes v. Steak Nø Shake, Cause No. 07JE-CC00120, Division No. 6, 23rd Judicial Circuit Court of Jefferson County, Missouri. April 2013.

Telephonic deposition on behalf of the defendants in Sharon Henderson, *et al.* v. Karen Redfern, *et al.*, Case No. 09CO-CC00038, Division No. 1, 18th Judicial Circuit Court of Cooper County, Missouri. February 2012.

Deposition on behalf of the defendants in Timothy Ryun v. Chester Bross Construction, *et al.*, Case No. 10LF-CV01134, Division No. 1, 15th Judicial Circuit Court of Lafayette County, Missouri. October 2011.

Testimony at trial on behalf of the plaintiff in Timothy Hrenak vs. Michael Conley and Celadon Trucking, Case No. 09SL-CC03564, Division No. 9, 21st Judicial Circuit Court of St. Louis County, Missouri. July 2011.

Testimony at trial on behalf of the plaintiffs in Terrance D. Gallagher and Sue Ann Gallagher vs. Microsurgery and Brain Research Institute, P.C. and Gregory H. Bailey, M.D., Case No. 062-CC06861, Division No. 9, 22nd Judicial Circuit Court, City of St. Louis, Missouri. May 2010.

**FORENSIC ECONOMIC TESTIMONY (continued)**

Missouri (continued)

Testimony at trial on behalf of the plaintiffs in Diana Walters, *et al.* vs. Career Education Corporation, *et al.*, Case No. 07CY-CV7481, Division No. 9, 7th Judicial Circuit Court of Clay County, Missouri. April 2010.

Testimony at trial on behalf of the plaintiff in Randall Francin vs. Mosby Inc., d/b/a Elsevier, Case No. 06CC-002188, Division No. 14, 21st Judicial Circuit Court of St. Louis County, Missouri. November 2009.

Deposition on behalf of the plaintiff in Randall Francin vs. Mosby Inc., d/b/a Elsevier, Case No. 06CC-002188, Division No. 14, 21st Judicial Circuit Court of St. Louis County, Missouri. November 2009.

Deposition on behalf of the plaintiffs in Terrance D. Gallagher and Sue Ann Gallagher vs. Microsurgery and Brain Research Institute, P.C. and Gregory H. Bailey, M.D., Case No. 062-CC06861, Division No. 1, 22nd Judicial Circuit Court, City of St. Louis, Missouri. October 2009.

Deposition on behalf of the plaintiffs in Diana Walters, *et al.* vs. Career Education Corporation, *et al.*, Case No. 07CY-CV07481, Division No. 9, 7th Judicial Circuit Court of Clay County, Missouri. August 2009.

Deposition on behalf of the plaintiff in Juanita Combs v. Daveyfire, Inc., *et al.*, Case No. 06JE-CC00254, Division No. 2, 23rd Judicial Circuit of Jefferson County, Missouri. January 2009.

Deposition on behalf of the plaintiffs in Diana Walters, *et al.* vs. Career Education Corporation, *et al.*, Case No. 07CY-CV07481, Division No. 9, 7th Judicial Circuit Court of Clay County, Missouri. December 2008.

Testimony at trial on behalf the plaintiff in Mohamad Z. Alhalabi v. Missouri Department of Natural Resources, Case No. 06CC-001089, Division No. 12, 21st Judicial Circuit Court of St. Louis County, Missouri. July 2008.

Deposition on behalf of the plaintiff in Shannon Robinson, *et al.* vs. Unity Health Services d/b/a Unity Pharmacy St. Johns, *et al.*, Case No. 06CC-3907, Division No. 15, 21st Judicial Circuit Court of St. Louis County, Missouri. June 2008.

Deposition on behalf of the plaintiff in Sharon Hillman, *et al.* vs. Sunset Fireworks, *et al.*, Case No. CV303-8095-CC-J3, Division No. 3, 23rd Judicial Circuit Court, Jefferson County, Missouri. May 2008.

Deposition on behalf of the plaintiff in J. David Thompson vs. St. Louis University, *et al.*, Case No. 052-08084, Division No. 22, 22nd Judicial Circuit Court, City of St. Louis, Missouri. March 2008.

Deposition on behalf of the defendant in James R. Matzker vs. BNSF Railway Company, Case No. 0622-CCD6823, Division No. 20, 22nd Judicial Circuit Court, City of St. Louis, Missouri. February 2008.

Deposition on behalf of the plaintiff in Leslie L. Edwards vs. Laura Jo Virostko, Case No. 07BA-CV00188, 13th Judicial Circuit Court, Boone County, Missouri. January 2008.

Deposition on behalf of the defendant in Joe Burton vs. BNSF Railway Company, Case No. 06CC-002083, Division No. 20, 21st Judicial Circuit Court, St. Louis County, Missouri. November 2007.

Deposition on behalf of the defendants in Tomas A. Figous vs. BNSF Railway Company and W-L-W Truck Leasing, Inc., Case No. 22052-09274, Division No. 11, 22nd Judicial Circuit Court, City of St. Louis, Missouri. September 2007.

Deposition on behalf of the plaintiff in John Turcotte vs. Negwer Materials, Inc., Cause No. 06CC-001321, Division No. 3, 21st Judicial Circuit Court, St. Louis County, Missouri. July 2007.

**FORENSIC ECONOMIC TESTIMONY (continued)**Missouri (continued)

Testimony at trial on behalf of the defendants in Liliana Vilcu vs. Fehlig Brothers Lumber and Dennis Oxmann, Case No. 22062-00392, Division No. 13, 22nd Judicial Circuit Court, City of St. Louis, Missouri. July 2007.

Deposition on behalf of the plaintiff in Aruna Rajagopalan vs. St. Louis University, Case No. 032-11013, Division No. 1, 22nd Judicial Circuit Court, City of St. Louis, Missouri. June 2007.

Deposition on behalf of the defendant in Willis Robert Groves vs. The Beckwood Corporation, d/b/a Beckwood Press Company, Case No. 042-08314, Division No. 1, 22nd Judicial Circuit Court, City of St. Louis, Missouri. October 2006.

Deposition on behalf of the plaintiff in Donald Magill and Stacy Magill vs. The United State of America, Case No. 4:05CV547 MLM, United States District Court for the Eastern District of Missouri. October 2006.

Deposition on behalf of the plaintiff in William C. Prott vs. John P. Marbarger, Jr. M.D., Karen E. Frederick, St. John's Mercy Health System, d/b/a St. John's Mercy Medical Center, Charles H. Bowen, M.D., Western Anesthesiology Associates, Inc., Case No. 05CC-001300ECV-6, Division No. 3, 21st Judicial Circuit Court, St. Louis County, Missouri. September 2006.

Deposition on behalf of the plaintiff in Shannon Robinson, *et al.* vs. A & A Pain Institute, P.C., Edwin D. Dunteman, M.D., and Janet L. McEwen, RN, ANP, Case No. 05CC-000590, Division No. 3, 21st Judicial Circuit Court of St. Louis County, Missouri. May 2006.

Deposition on behalf of the plaintiff in Russell Matthew Love vs. API Outdoors, Inc. k/n/a New Day Enterprises, Inc., Outland Sports, Inc. and Joseph Yerger, Case No. 03CV215842, Division No. 4, 16th Judicial Circuit Court of Jackson County, Missouri. May 2006.

Filed testimony on behalf of the plaintiff in Stanger v. Smith & Nephew, Inc., *et al.*, Case Number 4:04CV839 HEA, United States District Court for the Eastern District of Missouri. April 2006.

Filed testimony on behalf of the plaintiff in Stanger v. Smith & Nephew, Inc., *et al.*, Case Number 4:04CV839 HEA, United States District Court for the Eastern District of Missouri. November 2005.

Filed testimony on behalf of the plaintiff in Stanger v. Smith & Nephew, Inc., *et al.*, Case Number 4:04CV839 HEA, United States District Court for the Eastern District of Missouri. August 2005.

**REGULATORY TESTIMONY**

Presented testimony at hearings and in deposition on sixty-four occasions before the state regulatory commissions in Alabama, Arkansas, California, Florida, Hawaii, Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, Nebraska, New Mexico, North Carolina, Ohio, Pennsylvania, Texas, Virginia, and Washington.

**PRESENTATIONS AND PAPERS**

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| Oct-2018   | Presentation entitled "The Wage Phillips Curve - An Application to Forensic Economics" at the Fall Forensic Economic Workshop and Paper Session, Monterey, California.   |
| April-2018 | Panel presentation with David Rosenbaum and James Rodgers entitled "The Davesø Top Ten List: Examples of Gross Errors and Overreaching by Opposing Experts" at the 30 <sup>th</sup> Annual Meeting of the American Academy of Economic and Financial Experts in Las Vegas, Nevada. |
| Sept-2017  | Presentation entitled "Gender Neutral Work Life Expectancy" at the Fall Forensic Economic Workshop and Paper Session, Jackson Hole, Wyoming.   |

**PRESENTATIONS AND PAPERS (continued)**

- Mar-2017 Presentation entitled "A Macroeconomic Primer for Forensic Economists", at the 29<sup>th</sup> Annual Meeting of the American Academy of Economic and Financial Experts in Las Vegas, Nevada.
- Jan-2017 Joint presentation entitled "Practical Perspectives on Growth Rate and Discount Rate Methodologies" with Thomas R. Ireland, James D. Rodgers, William H. Rogers and Joseph Rosenberg. NAFE Session 1, 2017 Annual Allied Social Science Associations Meeting, Chicago, Illinois.
- Nov-2016 "A Forensic Economic Thought Experiment", *The Forecast*, Issue 30, Number 4, November 2016.
- Oct-2016 Presentation entitled "Stationarity Revisited, With a Twist" at the Fall Forensic Economic Workshop and Paper Session, Durango, Colorado.
- Oct-2016 Presentation entitled "Stationarity Revisited, With a Twist" at the Fall Forensic Economic Workshop and Paper Session, Durango, Colorado.
- Oct-2016 "Historical Net Discount Rates: An Update Through 2015", *Journal of Legal Economics*, 2016, Vol. 23(1), pp. 91-104.
- July-2016 "The Bond Ladder Fallacy", presented at the 91<sup>st</sup> Annual Meeting of the Western Economic Association International, Portland, Oregon.
- March-2016 Joint presentation entitled "An Experiment in Forensic Economics", with Lane Hudgins and Rick Gaskins at the 28<sup>th</sup> Annual Meeting of the American Academy of Economic and Financial Experts in Las Vegas, Nevada.
- Oct-2015 "Accounting for Work Life Expectancy: Applying the Skoog-Ciecka-Krueger Transition Probabilities", *Journal of Legal Economics*, Vol. 22(1), pp. 39-54.
- Oct-2015 Presentation entitled "The Role of Voluntary Labor Force Absences in the Determination of Earnings Capacity" at the Fall Forensic Economic Workshop and Paper Session, Springdale, Utah.
- April-2015 "U.S. Life Expectancy Tables Extended from Age 100 to Age 120". *Journal of Legal Economics*, Vol. 21(2), pp. 131-134. (Co-authored with David D. Jones).
- March-2015 Presentation entitled "E, and Ultimately FE: The Case for Secular Stagnation" at the 27<sup>th</sup> Annual Meeting of the American Academy of Economic and Financial Experts in Las Vegas, Nevada.
- Oct-2014 "Historical Net Discount Rates: An Update Through 2013", *Journal of Legal Economics*, 2014, Vol. 21(1), pp. 119-131.
- Oct-2014 "Calculating the Probability of Labor Force Activity - Applying the Skoog, Ciecka and Krueger Labor Force Transition Probabilities", presented at the Fall Forensic Economic Workshop and Paper Session, Santa Fe, New Mexico.
- May-2014 "Female Work Life Expectancy", published in *NAFE News*, Vol. 28, No. 2, May 2014, pp. 10-11.
- March-2014 "The Impact of the SSA Cohort Tables on Work Life Expectancy: An Application of the Skoog-Ciecka-Krueger Transition Probabilities", presented at the 26<sup>th</sup> Annual Meeting of the American Academy of Economic and Financial Experts in Las Vegas, Nevada.

**PRESENTATIONS AND PAPERS (continued)**

- Nov-2013      ðUsing the Social Security Trustees' Forecasts in the Estimation of Economic Damagesö, presented at the 83<sup>rd</sup> Annual Meeting of the Southern Economic Association, Tampa, Florida.
- Oct-2013      ðYet Another Net Discount Rate Paperö, presented at the 43<sup>rd</sup> Annual Conference of the Illinois Economic Association, Chicago, Illinois.
- Oct-2013      Presentation entitled ðAnalyzing a Report of Kent Jayneö at the Fall Forensic Economic Workshop and Paper Session, Durango, Colorado.
- June-2013     Discussant, Western Economic Association International 88<sup>th</sup> Annual Conference, Seattle, Washington.
- Oct-2012      ðHistorical Net Discount Rates ó An Update Through 2011ö, *Journal of Legal Economics*, 2012, Vol. 18(1), pp. 89-111.
- Oct-2012      Presentation entitled ðUsing Current Interest Rates in Today's Economic Environmentö at the Fall Forensic Economic Workshop and Paper Session, Springdale, Utah.
- March-2012   ðEconomic Controversy in Personal Injury Cases: An Example of a Bad Exampleö, letter to the editor of the *Journal of the Missouri Bar*, published in the March-April 2012 issue.
- Oct-2011      Presentation entitled ðStep, Spline or Curve: Estimating the Age-Earnings Profileö at the Fall Forensic Economic Workshop and Paper Session, Santa Fe, New Mexico.
- Oct-2011      ðHistorical Net Discount Rates ó An Update Through 2010ö, *Journal of Legal Economics*, 2011, Vol. 18(1), pp. 109-122. (Co-authored with Thomas R. Ireland).
- Aug-2011      ðTotal Offsets in Forensic Economics: Legal Requirements, Data Comparisons, and Jury Comprehensionö, co-authored with Thomas R. Ireland in *Determining Economic Damages*, by Gerald D. Martin. Update published in August 2012.
- May-2011      ðComment and Reply on Jayne's "The Neuro Economics of Applied Knowledge"ö, *Forensic Rehabilitation and Economics*, 2011, Vol. 4(1), pp. 416-50.
- April-2011    ðA Comparison of Period and Cohort Life Tablesö, *Journal of Legal Economics*, 2011, Vol. 17(2), pp. 113-130.
- Dec-2010      ðHistorical Net Discount Rates ó An Update Through 2009ö, *Journal of Legal Economics*, 2010, Vol. 17(1), pp. 87-100. (Co-authored with Thomas R. Ireland).
- Oct-2010      Presentation entitled ðTwo Related Misconceptions About Probability in Personal Injury, Wrongful Death and Wrongful Termination Casesö at the Fall Forensic Economic Workshop and Paper Session, Durango, Colorado.
- July-2010      ðSupplemental Calculation of Lost Earnings Using the LPE Methodö, in *Determining Economic Damages*, by Gerald D. Martin.
- July-2010      Panel chair, Western Economic Association 85<sup>th</sup> Annual Meeting, for the National Association of Forensic Economics, ðThe NAFE Statement of Ethical Principlesö, Portland, Oregon.
- June-2010      Presentation entitled ðMisconceptions Surrounding Probability in the Calculation of Economic Damagesö, at the 2010 annual conference of the American Rehabilitation Economics Association in Chicago, Illinois.

**PRESENTATIONS AND PAPERS (continued)**

- Oct-2009            ðCalculating Survival Probabilitiesö, *Journal of Legal Economics*, 2009, Vol. 16(1), pp. 111-126.
- Oct-2009            Discussant, workshop dealing with the use of LPE and Markov Models to Estimate Work Life Expectancy, at the Fall Forensic Economic Workshop and Paper Session, Santa Fe, New Mexico.
- July-2009            Discussant, Western Economic Association International 84<sup>th</sup> Annual Conference, Vancouver, Canada.
- March-2009          Member, Business Practices Forum Roundtable, 21<sup>st</sup> Annual Meeting of the American Academy of Economic and Financial Experts, Las Vegas, Nevada.
- Oct-2008            Presentation entitled ðExtracting Information from On-Line Annuity Quotesö at the Fall Forensic Economic Workshop and Paper Session, Salt Lake City, Utah.
- March-2008          Member, Business Practices Forum Roundtable, 20<sup>th</sup> Annual Meeting of the American Academy of Economic and Financial Experts, Las Vegas, Nevada.
- Oct-2007 &  
June-2007            Presentation entitled ðNominal, Real and Net Discount Rates: What's the Difference and Does it Make a Difference?ö at Continuing Legal Education seminar held by the UMSL Center for Law and Forensic Economics.
- Jan-2007            Presented a paper, co-authored with Arthur Eubank, Jr., entitled ðExpert Economic Testimony: Similarities and Differences in Regulatory and Civil Litigation Proceedingsö, at the Allied Social Science Associations Meeting, Chicago, Illinois.
- Oct-2006            Presented a paper entitled ðEmployment Status of the Civilian Noninstitutional Population by Educational Attainment, Age, Sex and Raceö at the Fall Forensic Economic Workshop and Paper Session, Salt Lake City, Utah.
- Aug-2006            ðEconomic Damages Under House Bill 393ö, *Journal of the Missouri Bar*, July-August, 2006:214-221. (Co-authored with Thomas R. Ireland).
- March-2006          Presented a paper, co-authored with Thomas R. Ireland, entitled ðEconomic Damages Under House Bill 393ö at the 18<sup>th</sup> Annual Meeting of the American Academy of Economic and Financial Experts in Las Vegas, Nevada.
- Oct-2005            Panel chair, Missouri Valley Economic Association 42<sup>nd</sup> Annual Meeting, for the National Association of Forensic Economics, ðForensic Economics Under Missouri's New Tort Reform Lawö. Kansas City, Missouri.
- Sep-2005            Presentation entitled ðMissouri Tort Reform: Opportunities and Pitfalls for Forensic Economistsö, American Academy of Economic and Financial Experts Fall Meetings in Santa Fe, New Mexico.