

Litigation Support Background

J. Armand Musey, CFA, JD/MBA
President and Founder
Summit Ridge Group, LLC

Areas of Expertise

- **Industry and Business**
 - Broadband communications;
 - Broadcasting;
 - Media;
 - Government spectrum licenses (including orbital slot valuation and wireless spectrum valuation);
 - Wireless/mobile communications; and
 - Satellite communications industry and related media and telecommunications topics.
- **Financial and Economic**
 - Asset valuation;
 - Business valuation;
 - Financial analysis of economic damages; and
 - Financial scenario analysis.
- **Other**
 - Corporate governance; and
 - Investment research practices including accepted use of information sources and relationships with company management.

Litigation Support Experience

- ***ATK Space Systems, Inc. et al., v. U.S. Space LLC; Circuit Court of Loudoun County, Virginia. Case Number: CL-101847***
 - Matter: Dispute arising from failure of partnership seeking to pursue an in-orbit satellite servicing business.
 - Role: Valuation report, deposition and trial testimony for defendant.
 - Law Firm: Hogan Lovells for the Defendant Orbital ATK.
 - Disposition: Jury damages award consistent with expert valuation testimony.

- **GeoMetWatch v. Alan Hall et al**; U.S. District Court, District of Utah.
Case Number: 1:14-cv-00060
 - Matter: Dispute arising from failure of partnership seeking to pursue earth observation/remote sensing satellite business.
 - Role: Valuation expert for the defendant.
 - Law Firm: State of Utah, Office of the Attorney General for defendant Utah State University Research Foundation.
 - Disposition: Ongoing matter.
- **In re: Paul Anthony Morabito**; U.S. Bankruptcy Court, District of Nevada.
Case Number: BK-13-51237-GWZ
 - Matter: Bankruptcy-related dispute arising from prepetition asset transfer.
 - Role: Valuation expert for shares in an entity whose primary asset is FCC spectrum licenses.
 - Law Firm: K&L Gates and Robison, Belaustegui, Sharp and Low for defendant Paul Antony Morabito.
 - Disposition: Settled prior to trial.
- **Leong v. Havens et al**; Superior Court of California, County of Alameda.
Case Number: 2002-070640
 - Matter: Partnership dispute related to payout after partnership assets, primarily consisting of FCC spectrum licenses.
 - Role: Valuation expert in connection with plaintiff's suit for court appointed receivership of spectrum assets. Expert support in connection with separate arbitration related to spectrum asset value and analysis of transaction records. Testified in parallel arbitration process.
 - Law Firm: Shopoff, Cavallo & Kirsch, LLP for plaintiff Arnold Leong.
 - Disposition: Receivership appointed by court, parallel arbitration ongoing.
- **Tinicum Capital Partners II v. Liberman Broadcasting, Inc. et al**; Court of Chancery of the State of Delaware. Case Number: 11902-VCL
 - Matter: Shareholder dispute related to a shareholder's veto rights management's preferred method of participating in an FCC auction.
 - Role: Expert support related to expected receipts to certain broadcasters for tendering their spectrum in the reverse portion of the FCC broadcast incentive auction. Defended written testimony in deposition.
 - Law Firm: Latham & Watkins LLP for defendant Liberman Broadcasting.
 - Disposition: Settled prior to trial.
- **AMG Trading v. AstroMedia Global**; U.S. District Court, District of Connecticut
Case Number: 3:12-cv-00912-SRU
 - Matter: Partnership dispute related to a satellite project in Turkmenistan.
 - Role: Expert valuation report and trial testimony related to value of orbital rights.
 - Law Firms: Pullman & Comley, LLC and Roetzel & Andress for Plaintiff AMG Trading.
 - Disposition: \$22 million jury verdict in favor of AMG Trading. Verdict was within valuation range in expert valuation report.

- **Osier v. City of Burlington Telecom;** Vermont Superior Court
Docket Number: S1588-09 CnC
 - Matter: Dispute of fiduciary responsibility of municipality
 - Role: Litigation Support related to valuation of broadband network and other economic damages analysis.
 - Law Firm: Gavel & Shay for Plaintiff Osier for plaintiff.
 - Disposition: Decision in favor of Defendant City of Burlington Telecom.

- **Viasat, Inc. et al v. Space Systems/Loral, Inc.;** U.S. District Court, Southern District of California. Case Number: 3:12-cv-00260-H-WVG
 - Matter: Intellectual property violation dispute.
 - Role: Consulting expert related to wireless broadband market and economic damages analysis.
 - Law Firm: Susman Godfrey, LLP for Defendant Loral.
 - Disposition: Post-trial settlement.

- **Blasquez v. Hernandez, et al.;** Superior Court of California, County of Alameda. Case Number: HG11601017 (2012).
 - Matter: Partnership dispute related to payout after partnership assets, primarily consisting of FCC spectrum licenses in the 2.5 GHz band, were sold.
 - Role: Litigation support related to asset value and analysis of transaction records.
 - Law Firm: Schenone and Peck LLP for Plaintiff Blasquez.
 - Disposition: Settled prior to trial while preparing expert report.

- **U.S. v. Newman et al.;** U.S. District Court, Southern District of New York: 12 Cr. 121 (2012).
 - Matter: Criminal insider trading case against hedge fund investment professionals.
 - Role: Litigation support on industry standards for investment research professionals, investment research processes, terminology and related industry issues. Retained by Sullivan & Cromwell LLP on behalf of Defendant Horvath.
 - Law Firms: Defendant Newman represented by Sherman & Sterling LLP and Defendant Chaisson by Steptoe & Johnson LLP and Morvillo LLP.
 - Disposition: Defendant Horvath resolved the matter prior to trial.

- **In re: Adjustment of Rates and Terms for Preexisting Subscription and Satellite Digital Audio Radio Services**; Docket 2006-1, CRB DSTR (2007); U.S. Copyright Royalty Board, Library of Congress. Washington, D.C.
 - Matter: Federal arbitration over royalty rate setting for music royalties that satellite radio companies, Sirius and XM Satellite Radio pay.
 - Role: Expert witness for both Sirius and XM Satellite Radio (prior to their 2008 merger). Prepared expert witness report analyzing the impact of various royalty rates on the business models of the two satellite radio companies and on the relative value of certain content to the companies. Project involved extensive financial modeling and detailed written testimony. Defended written testimony in deposition and testified before the three-arbitrator arbitration panel.
 - Law Firms: Weil Gotshal & Manges LLP for XM Satellite Radio; Wiley Rein LLP for Sirius Satellite Radio.
 - Disposition: Report and testimony credited in disposition by panel favorable to client.

- **Gross v. SES Americom**; 307 F.Supp.2d 719 (2004); U.S. District Court, District of Maryland.
 - Matter: Contract dispute arising out of SES Americom's alleged post-merger obligations to Gross.
 - Role: Provided expert report centering on valuation of an orbital slot and its viability for development. Defended expert opinion in deposition.
 - Law Firm: Paul, Weiss, Rifkind, Wharton and Garrison LLP for Defendant SES Americom.
 - Disposition: Summary judgment granted in favor of Defendant SES Americom.

Other Testifying Experience

- **In re Loral Space and Communications Inc.**, Consolidated Litigation. Civil Action No. 2808-VCS (2008); The Court of Chancery in the State of Delaware.
 - Matter: Shareholder derivative claim. Shareholders accused Loral Space and Communications management of improperly favoring a major shareholder in a financing to the detriment of other shareholders.
 - Role: Subpoenaed and deposed as a fact witness by defendant after conducting detailed research project on the defendant company. Research was conducted pursuant to a custom engagement on behalf of an investor who became one of the lead plaintiffs.
 - Law Firm: Represented during deposition by plaintiff's counsel Paul, Weiss, Rifkind, Wharton and Garrison LLP.
 - Disposition: Court found shareholder was improperly favored at the expense of the plaintiff shareholders and was required to make significant concessions.

- **Parker Freeland v. Iridium World Communication LTD, et al.** Civil Action No. 99-102 (2006); U.S. District Court, District of Columbia
 - Matter: Class action litigation. Filed on behalf of shareholders of failed satellite telephony company. Plaintiffs alleged securities fraud by improperly misleading the investment community about the company's prospects.
 - Role: Subpoenaed and deposed as a fact witness by plaintiffs as a result of following the company as Wall Street research analyst.
 - Law Firm: Clifford Chance US LLP (for certain defendants and witnesses); Kirkland and Ellis LP (for certain defendants).
 - Disposition: Settled prior to trial.

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