

ALI SAAD, Ph.D., MANAGING PARTNER

Dr. Saad is the Managing Partner of Resolution Economics LLC. He has a Ph.D. in Economics from the University of Chicago. Prior to Resolution Economics, Dr. Saad was a partner at Deloitte & Touche LLP and at Altschuler, Melvoin and Glasser LLP. Before that he was in the disputes consulting group at Price Waterhouse, first in New York, and then in Los Angeles. Prior to his consulting career, Dr. Saad served as an Assistant Professor of Economics at Baruch College of the City University of New York (CUNY).

Professional Experience

Dr. Saad's experience is extensive in the area of statistical and economic analysis of liability and damages related to employment litigation matters. His experience is extensive in the application of economics and statistical methods to class action employment discrimination matters. He is also experienced in designing, implementing, and analyzing surveys and observation studies as well as conducting empirical analyses related to exempt/non-exempt status, hours worked, uncompensated time, meal and rest breaks, rounding, and other wage and hour issues. He has also performed statistical and damages analyses for a broad range of commercial litigation matters including breach of contract, insurance coverage, environmental claims, patent infringement, antitrust and real estate financing. Dr. Saad has testified a number of times at deposition and trial. Dr. Saad also regularly consults to clients regarding business issues related to employment practices.

Employment Matters

Dr. Saad provides a variety of services related to employment litigation. His experience is extensive in conducting statistical and economic analysis related to issues of liability for employment discrimination matters. He also has designed and conducted many surveys and observational studies related to wage and hour issues. Dr. Saad has also performed analyses of economic damages in both class action and single plaintiff matters.

Statistical and Economic Analysis in Discrimination Matters

Assignments representative of Dr. Saad's experience in performing analyses in connection with employment discrimination matters include the following:

- Consulting and expert witness services in national class action race discrimination matter involving issues of pay, promotion, work assignment, and a variety of other challenged employment practices. Services included creating databases from diverse and voluminous source materials, and conducting extensive statistical analyses.
- Consulting and expert witness services in national class action gender discrimination matter involving issues of job assignment and promotion. Services included creating databases from diverse and voluminous source materials, and conducting extensive statistical analyses.



- Consulting and expert witness services in a class action case alleging that contracts were misleading. Services included processing and analyzing large quantities of data, and performing statistical analysis of the criteria determining class membership.
- Consulting and expert witness services in connection with a major class action alleging gender discrimination in pay and promotion at a large high-tech employer. Services included creating analytical databases, and developing economic and statistical arguments concerning the relationship between productivity-related variables, pay/promotion, and gender.
- Consulting and expert witness services in an antitrust and discrimination matter in which a group of businesses alleged violations of antitrust and discrimination laws by another group of businesses. Services included data construction, and statistical analysis related to issues of liability.
- Consulting and expert witness services on behalf of plaintiffs' counsel in a series of cases alleging race discrimination in hiring. Services included creating analytical databases, studying the relationship between race and hiring, and examining the features of the external labor market.
- Consulting and expert witness services in connection with a class action claim of discrimination based on age in connection with a series of layoffs resulting from the combination of two large retail chains. Services included creating analytical databases, studying the relationship between layoff and age, and examining the relationship between age and workforce composition over.
- Consulting and expert witness services in connection with EEOC allegations of race discrimination in recruiting, hiring, and initial placement at a large service providing company. Services included developing databases from diverse paper and electronic sources, and providing statistical arguments concerning the relationship between race and various other factors.
- Consulting and expert witness services to defendant's counsel in connection with a major class action alleging gender discrimination in multiple employment practices at a national retail chain. Services included developing a database from voluminous paper documents, and conducting analysis related to hiring, initial placement, and initial pay.
- Consulting and expert witness services to defendant's counsel in connection with an EEOC investigation of racial discrimination in hiring by a major service providing organization. Services included developing a database, and conducting statistical analysis related to hiring.
- Consulting services to defendant's counsel in connection with a U.S. Department of Labor OFCCP investigation of pay equity at a high-tech company. Services included design and oversight of a statistical analysis of pay equity, assessment of the OFCCP methodology, and participation in conciliation discussions between the company and the OFCCP.
- Consulting and expert witness services to defendant's counsel in connection with an allegation of age discrimination in terminations resulting from a series of mass layoffs. Services provided included developing statistical arguments concerning the relationship between age and termination.



- Consulting services to defendant's counsel in connection with a Department of Justice investigation regarding allegations of racial profiling by a large city police department. Analyzed departmental data related to over 130,000 traffic stops, pedestrian stops, and other types of police contacts that occurred in four selected weeks in 1997 and four selected weeks in 1999. Cross-referenced traffic stops data with other information sources including human resources data, precinct level paper records, and the officer discipline system to test various hypotheses.
- Consulting services and expert testimony to defendant's counsel in connection with a multi-plaintiff matter alleging race and gender discrimination in promotion and placement into coveted positions by a large city police department. Performed statistical analysis of promotion and placement into coveted positions. Quantified economic damages for several plaintiffs under failure to promote and wrongful termination theories.
- Consulting services in a case against a city government alleging discrimination in recruiting and hiring of police and firefighters. Services included using Census and other large-scale data sources to assess labor market characteristics by detailed geographic location, and conducting extensive analysis of the impact of employment tests on hiring.
- Consulting and expert witness services to defendant's counsel in a matter where plaintiff alleged that defendant's hiring practices discriminated against women. Services included converting diverse paper source materials into a usable database, and developing statistical evidence concerning plaintiff's allegation.
- Consulting services in several class action recruiting and hiring matters. Services included use of detailed census and other data to estimate labor market availabilities by geographic location, and analyzing employment practices in light of these availability findings.
- Consulting services to a major bank involved in an analysis of its fair lending practices. Services included using bank data on applicants for mortgages and other loans, and adding various demographic and geographic information to assess if the bank made loans on the basis of race, or controlling for other, observable factors could explain patterns in loan making.
- Consulting services on behalf of defendant's counsel in a major class action matter involving allegations of gender discrimination in promotion. Services included building analytical database from many sources, using the database to conduct extensive statistical analysis of plaintiffs' allegations, and estimating damages resulting from non-promotion for approximately 3,000 women occupying different jobs over a ten-year period.
- Consulting and expert witness services on behalf of defendant's counsel in two related cases alleging age discrimination in termination. Prior to plaintiffs' vesting for certain long term benefits. Services included using defendant's human resource data to test plaintiffs' specific allegations, developing statistical arguments concerning the relationship between age and termination, and performing analyses of plaintiff's damages in each case.
- Consulting services on behalf of plaintiff's counsel in distribution of award in an age discrimination matter with 75 plaintiffs. Services included developing a method to efficiently compute damages for all plaintiffs, and working with counsel, an arbitrator, and plaintiffs' committee to explain the process to plaintiffs' group.



Wage and Hour Matters

Assignments representative of Dr. Saad's experience in wage and hours matters include:

- Consulting and expert witness services to defense counsel in a national class-action wage and hour matter alleging that several thousand loan originators at a large financial institution were misclassified under FLSA. Conducted statistical analyses of hours worked records, compensation data, plaintiffs' declarations, and other data to determine if select groups of plaintiffs would be representative of the class.
- Consulting and expert witness services to defense counsel in a wage and hour matter alleging that several thousand General Managers and Assistant Managers at a large office supply retailer were misclassified as exempt employees. Services included designing and conducting a survey to examine whether class members were appropriately classified, analyzing the company's labor model and human resources data, and conducting statistical analyses related to a variety of class certification issues.
- Consulting and expert witness services to defense counsel in a wage and hour matter alleging that several thousand Assistant Managers at a large general merchandise retailer were misclassified as exempt employees. Services included designing and conducting both a survey and an observational study, to examine whether or not class members were appropriately classified. Services also included conducting extensive statistical analyses of the data collected by the survey and the observational study, and preparing materials for use in class certification proceedings.
- Consulting services to defense counsel in a class action matter alleging failure to pay overtime wages to independent sales and service representatives for a large national tool franchiser. Services included designing and implementing an hours survey to determine whether the additional hours worked claimed by some plaintiffs was representative of the additional hours worked by the class as a whole. Determined that the problem was isolated to certain geographic areas rather than nationwide.
- Consulting and expert witness services to defense counsel in a wage and hour matter alleging that several hundred store managers and assistant store managers at a chain of retail discount stores were misclassified. Services included creating and implementing a survey to examine whether class members were classified appropriately and conducting statistical analyses related to commonality of class-members and other class certification issues.
- Consulting services to defense counsel in a multi-plaintiff wage and hour matter alleging that the defendant employer failed to compensate security guards for uniform changing time and other claims of off-the-clock work. Services included designing and conducting an observation study to measure time associated with various activities.
- Consulting services to defense counsel in wage and hour matter alleging that store managers at a chain of convenience store/ gas station operations were misclassified as exempt workers. Services included designing and conducting a random sampling scheme and observational study to evaluate the amount of time that class members spent on exempt and non-exempt duties.
- Consulting services to defense counsel in a class-action wage and hour matter alleging uncompensated meal periods and breaks, unpaid overtime wages, and minimum wage violations at a field maintenance company.



Services included creating a database of hours worked from paper and electronic records, and then providing damages estimates based on a variety of assumptions and legal theories.

- Consulting services to defense counsel in a class action matter alleging a variety of wage and hour violations for hourly workers at a chain of warehouse stores. Services included analyzing data to test allegations of improper time adjustments, missed meal and rest periods, uncompensated split shifts, reporting time violations, overtime and regular rate issues, and off-the-clock work.

Employment Damages

Assignments representative of Dr. Saad's experience estimating economic damages include the following:

- Consulting services to plaintiff's counsel in a case involving a breach of employment contract allegation by a high-level executive in the emerging communications industry. Services included damages analysis based on valuation of stock options and estimation of future earnings.
- Consulting services to defendant's counsel in a case involving a wrongful termination allegation by a high-level executive in the telecommunication industry. Services included damages analysis based on valuation of stock options using the Black-Scholes Option Pricing Framework and a Monte Carlo Simulation Model.
- Consulting and expert witness services on behalf of defendant's counsel in a matter brought by a former executive who alleged wrongful termination and age discrimination against a major defense contractor following a reduction in force. Critiqued work product of the opposing expert, evaluated mitigation issues, calculated loss of earnings damages and valued losses related to stock options.
- Consulting and expert witness services on behalf of defendant's counsel in a medical malpractice action where the underlying damages issue was valuing an income stream from a closely held cash business. Performed accounting of plaintiff's financial records to determine the existence and the extent of fraud. Created financial models to calculate damages under a variety of scenarios.
- Consulting and expert witness services to defendant's counsel in a wrongful termination matter brought by senior executive of a high-tech company who alleged age discrimination. Performed analysis of mitigation factors, calculated loss of earnings, and valued future stock options.

Commercial Litigation

Dr. Saad has assisted clients in a variety of commercial litigation matters, including patent infringement, insurance coverage, antitrust, breach of contract, and real estate financing. Assignments representative of Dr. Saad's experience in these areas include the following:

- Consulting and expert witness services in a series of cases involving the real property title insurance industry. Services included performing extensive statistical analyses in connection with both liability and damages issues.



- Consulting and expert witness services in a case alleging breach of loan commitment to a commercial real estate concern. Services included constructing financial models, developing economic arguments relating to fixed versus variable rate loans, and assisting counsel in deposing the opposing expert.
- Consulting and expert witness services in a case involving a breach of contract allegation in the computer hardware industry. Services consisted of performing a damages calculation, and rebutting the opposing expert's analysis.
- Consulting and expert witness services in a case alleging that one entity caused another entity's property to be misused. Services included database creation, and statistical analysis related to issues of causation. Results indicated that there was a statistically significant relationship between defendant's actions and plaintiff's economic condition.
- Consulting services on behalf of defendant's counsel in a breach of contract matter in the context of natural resource raw materials shipping. Services included developing economic arguments regarding the but-for pricing of both the shipping service as well as the material being shipped.
- Consulting and expert witness services on behalf of defendant's counsel in a major insurance coverage case, in which the underlying claims resulted from tens of thousands of asbestos claims. Services included developing strategy for dealing with large amounts of paper information, creating a database for analysis, and performing a variety of statistical analyses.
- Consulting services on behalf of plaintiff's counsel in an antitrust matter in the consumer electronics product market. The antitrust practice alleged was predatory pricing. Services included preparing a damage analysis.
- Consulting services on behalf of defendant's counsel in a patent infringement matter in the computer hardware industry. Services included researching transfer pricing issues and analyzing complex company P&L data in preparation for damages calculation.
- Consulting services on behalf of defendant's counsel in a real estate financing dispute. Dispute revolved around the financing of a major New York office property. Services included analysis of interest rates and their relationship to potential damages at various points in time, as well as the construction of a financial model of the property with the but-for financing in place.
- Consulting services on behalf of plaintiff's counsel in an antitrust matter involving allegations of non-competitive practices and predatory pricing in the home cable television market. Services included an analysis of "raising rivals costs", as well as a statistical analysis of pricing of complex products over time.



Summary of Employment Experience

Resolution Economics LLC:

Managing Partner, October 1998 to date.

University of Southern California

Adjunct Associate Professor in the Department of Economics, January 1999 to September 2001.

Deloitte & Touche, LLP:

Partner, Dispute Consulting Services, (Los Angeles), 1998.

Altschuler, Melvoin and Glasser LLP:

Partner, Economics and Litigation Services, (Los Angeles), 1995 to 1998.

Price Waterhouse LLP:

Senior Manager, Manager, Litigation and Corporate Recovery Services Group, (New York and Los Angeles), January 1989 – November 1989, June 1990 to 1995.

Olympia & York Companies (USA):

Assistant VP and Senior Economist, (New York), November 1989 - June 1990.

Baruch College, City University of New York (CUNY):

Instructor and Assistant Professor of Economics, Department of Economics and Finance, 1982-1988; Center for the Study of Business and Government, Research Associate, 1983-1986; U.S. Small Business and Veterans Administrations, Consultant, 1985-1986.

Education

Ph.D., Economics, The University of Chicago.

B.A., History, Economics, The University of Pennsylvania

Publications

Financial Success and Business Ownership among Vietnam and other Veterans (with S. Lustgarten) SBA - 7210 - VA - 83, 1986.

"Schooling and Occupational Choice in 19th Century Urban America", Journal of Economic History, vol. 49, no. 2, June 1989.

"Employment Discrimination Litigation", chapter in Litigation Services Handbook, ed. by Roman Weil, et al., 1995, 2001, 2006, 2012, 2017.

"Employment Discrimination", chapter in Litigation Support Report Writing, ed. by Jack P. Friedman, et al, 2003.



Paul Grossman, Paul Cane, and Ali Saad, “Lies, Damned Lies, and Statistics: How the Peter Principle Warps Statistical Analysis of Age Discrimination Claims”, The Labor Lawyer, vol. 22, no. 3, Winter/Spring 2007, pp. 251-268.

Saad, Ali, “Beyond the Peter Principle – How Unobserved Heterogeneity in Employee Populations Affects Statistical Analysis in Age Discrimination Cases: Application to a Termination/RIF Case”, AELC Conference Volume, 2007.

Saad, Ali, “Filling the Data Vacuum in Wage and Hour Litigation: The Example of Misclassification Cases, Emphasis on Class Certification”, SIOP Annual Conference Proceedings, 2009.

Saad, Ali, “Wage and Hour Cases - Filling the Data Vacuum: Misclassification Cases and Other Observational Studies”, SIOP Annual Conference Proceedings, 2012.

Presentations

Dr. Saad has delivered many presentations at professional conferences, to law firms and to industry groups.

Academic Honors

Finalist, Allan Nevins National Doctoral Dissertation Award
NIMH Doctoral Fellowship, The University of Chicago
Magna Cum Laude, The University of Pennsylvania
Honors in History, Economics, The University of Pennsylvania
Omicron Delta Epsilon, Honor Society in Economics

Professional Affiliations

American Economic Association
American Bar Association (associate membership)