

JONATHAN F. FOSTER

Expert Witness Reports and Testimony Experience

Michael H. Wehrle et al. v McJunkin Red Man Corporation

Expert Report and Deposition Testimony (Court of Chancery of the State of Delaware)

October 5, 2011

Case Number 5683-VCS

Martin Marietta Materials, Inc. v Vulcan Materials Company

Expert Report and Deposition Testimony (Court of Chancery of the State of Delaware)

February 14, 2012

Case Number 7102-CS

United Company Rusal PLC vs Interros International Investments Limited

Expert Report (London Court of International Arbitration)

September 21, 2012

Case Number 101666

Pension Benefit Guaranty Corporation v Asahi Tec

Declaration (U.S. District Court for the District of Columbia)

April 5, 2013

Case Number 1:10 – CV-01936-ABJ (ABJ)

Judith Knight et al. v Gilbert S. Lavine et al.

Expert Report and Deposition Testimony (U.S. District Court for the Eastern District of Virginia)

May 3, 2013

Case Number 1:12-cv-00611-LO-JFA

One Asia (HK) Ltd. v Diamond Castle

Expert Report (International Court of Arbitration of the International Chamber of Commerce)

October 4, 2013

Case Number 19100/AGF

Antioch Litigation Trust v McDermott Will & Emery

Expert Report and Deposition Testimony (U.S. District Court for the Southern District of Ohio

Western District at Dayton)

October 14, 2013

Case Number 09-CV-218

Aidan Foley and AF Double Eagle v Aintabis et al

Expert Report and Deposition Testimony (U.S. District Court for the Central District of California)

February 14, 2014

Case Number 13-CV-03691-DSF (SSx)

Financo v The Jones Group and Sycamore Partners

Expert Report (Judicial Arbitration and Mediation Services, Inc., New York, New York)

October 17, 2014

Arbitration Testimony (Judicial Arbitration and Mediation Services, Inc., New York, New York)

November 10, 2014

JAMS Ref. No. 1425016156

Chardan 2008 China Acquisition Corp. et al v Law Offices of David J. Stern, P&M Corporate Finance et al

Expert Report (17th Judicial Circuit for Broward County, Florida)

December 6, 2014

Case Number 12-00096(19)

TIBCO Software Inc Stockholders Litigation

Expert Report and Deposition Testimony (Court of Chancery of the State of Delaware)

September 16, 2015

Rebuttal Report (Court of Chancery, State of Delaware)

October 7, 2015

Case Number 10319-CB

Colin Veitch and VSM Development v Virgin Management and Other Virgin Entities

Expert Report (U.S. District Court, Southern District of Florida)

December 1, 2015

Rebuttal Report (U.S. District Court, Southern District of Florida)

December 14, 2015

Case Number 15-20989-CIV-MOORE/MCALILEY

Move, Inc. v Zillow, Inc., Errol Samuelson and Curt Beardsley

Response to Interrogatory No. 3 stating in detail opinions of expert witness expected to be called at trial and deposition testimony (Superior Court of the State of Washington, King County)

February 1, 2016

Declaration (Superior Court of the State of Washington, King County)

March 7, 2016

Declaration (Superior Court of the State of Washington, King County)

May 2, 2016

Case Number 14-2-07669-0

Alcoa Inc. v Alumina Limited

Affidavit (Court of Chancery, State of Delaware)

August 12, 2016

Case Number 12385-CB

James J. Cotter, Jr. v Margaret Cotter et al. / Reading International, Inc.

Expert Report and Deposition Testimony (District Court, Clark County Nevada)

September 28, 2016

Case No. A-15-719860-B

*Great American Chicken Corp, Inc. and US Food Corp, Inc. v Ataollah Aminpour et al.;
Ataollah Aminpour v Shaoul Levy, et al.*
Expert Report and Deposition Testimony (Superior Court of California, County of Los Angeles)
February 26, 2017
Case No. SC119261 and SC120155

Alere Inc. v. Abbott Laboratories
Expert Report and Deposition Testimony (Court of Chancery of the State of Delaware)
March 13, 2017
Case No. 12963-VCG

Oxbow Carbon LLC Unit Holder Litigation
Expert Report (Court of Chancery of the State of Delaware)
June 26, 2017
Case No. 12447-VCL

LCT Capital, LLC v NGL Energy
Expert Report (Superior Court of the State of Delaware, New Castle County)
July 21, 2017
Rebuttal Report (Superior Court of the State of Delaware, New Castle County)
August 14, 2017
Case No. N15C-08-109 WCC CCLD

Almond Investment Fund LLC et al. v Glenhill Advisors LLC et al.
Expert Report and Deposition Testimony (Court of Chancery of the State of Delaware)
September 20, 2017
Rebuttal Report (Court of Chancery of the State of Delaware)
October 12, 2017
Trial Testimony (Court of Chancery of the State of Delaware)
November 20, 2017
Case No. 10447-CB

Eric Blattman, E2.0, et al v C3, Thomas M. Siebel et al
Expert Report and Deposition Testimony (U.S. District Court for the District of Delaware)
October 27, 2017
Rebuttal Report (U.S. District Court for the District of Delaware)
November 13, 2017
Case No. 1:15-cv-00530-GMS

Wynn Resorts v Kazuo Okada, Aruze USA and Universal Entertainment
Expert Report and Deposition Testimony (District Court -- Clark County, Nevada)
November 3, 2017
Case No. A-12-656710-B

In re: ExamWorks Group, Inc.

Expert Report and Deposition Testimony (Court of Chancery of the State of Delaware)

November 10, 2017

Rebuttal Report (Court of Chancery of the State of Delaware)

December 6, 2017

Supplemental Report (Court of Chancery of the State of Delaware)

September 14, 2018

Case No. 12688-VCL

Kyle Wheeler v The Gores Group, LLC

Expert Report (Judicial Arbitration and Mediation Services, Inc., Los Angeles, California)

January 31, 2018

Rebuttal Report (Judicial Arbitration and Mediation Services, Inc., Los Angeles, California)

February 15, 2018

JAMS Ref. No. 1210034416

Renco Group et al v Steel Workers Pension Trust

Rebuttal Report and Deposition Testimony (American Arbitration Association, Pittsburgh, Pennsylvania)

March 7, 2018

Arbitration Testimony (American Arbitration Association, Pittsburgh, Pennsylvania)

March 22, 2018

Darwin Deason v Fujifilm, Xerox et al

Expert Report (Supreme Court of the State of New York, County of New York)

April 10, 2018

Rebuttal Report (Supreme Court of the State of New York, County of New York)

April 20, 2018

Case No. 650675/2018

Steven Knurr et al v Orbital ATK et al

Expert Report (United States District Court Eastern District of Virginia)

August 24, 2018

Case No. 1:16-cv-01031-TSE-MSN

Yi Xiang et al v Inovalon, Goldman Sachs et al

Expert Report (United States District Court, Southern District of New York)

October 22, 2018

Case No. 1:16-cv-049323-VM-KNF

Size It and Mickey Segal v ASICS et al

Expert Report and Deposition Testimony (Superior Court of the State of California for the County of Los Angeles)

December 7, 2018

Case No. BC 597769

In re Nine West Holdings, Debtor

Expert Report (United States Bankruptcy Court, Southern District of New York)

December 21, 2018

Case No. 18-10947 (SCC)

American Realty Capital Properties (ARCP) et al v ARCP, Nicholas Schorsh et al

Expert Report and Deposition Testimony (United States District Court, Southern District of New York)

May 2, 2019

Case No. 1:15-mc-00040-AKH

In re Appraisal of Bob Evans Farms, Inc.

Expert Report (Court of Chancery of the State of Delaware)

August 15, 2019

Case No. 2018 -0052-JRS

In re Tesla Motors, Inc. Stockholders Litigation

Expert Report and Deposition Testimony (Court of Chancery of the State of Delaware)

August 26, 2019

Trial Testimony (Court of Chancery of the State of Delaware)

July 21 – 22, 2021

Case No. 12711-VCS

Kenneth L. Bullock et al v Woolpert, Inc. et al

Affidavit (Common Pleas Court of Greene County, Ohio General Division)

October 23, 2019

Case No. 2018 CV 0303

Petition for Certification of a Derivative Claim re Teva Pharmaceutical Industries Ltd.

Rebuttal Report (Economic Division of the Tel Aviv, Israel District Court)

December 8, 2019

Simon Property v Taubman Centers / Taubman Realty Group

Expert Report and Deposition Testimony (State of Michigan Circuit Court for the 6th Judicial Circuit Oakland County)

October 5, 2020

Rebuttal Report (State of Michigan Circuit Court for the 6th Judicial Circuit Oakland County)

October 20, 2020

Case No. 2020-181675-CB

Selwyn Karp et al v First Connecticut Bancorp, John Patrick, Jr. et al

Expert Report and Deposition Testimony (United States District Court for the District of Maryland)

November 9, 2020

Case No. 1:18-cv-02496

Snow Phipps and DecoPac v Kohlberg Partners

Expert Report and Deposition Testimony (Court of Chancery of the State of Delaware)

November 20, 2020

Rebuttal Report (Court of Chancery of the State of Delaware)

December 4, 2020

Trial Testimony (Court of Chancery of the State of Delaware)

January 27, 2021

Case No. 2020-0282-KSJM

Chapter 7 Trustee for ITT Educational Services v Kevin Modany

Expert Report and Deposition Testimony (United States District Court, Southern District of Indiana Indianapolis Division)

March 22, 2021

Case No. 1:18-cv-02182-JPH-TAB

Hawaii Ironworkers Pension et al v AMC Entertainment et al

Expert Report and Deposition Testimony (United States District Court for the Southern District of New York)

April 23, 2021

Reply Report (United States District Court for the Southern District of New York)

July 2, 2021

Case No. 18-cv-00299-AJN

Patrick Colacurcio et al v Insight Venture Partners

Expert Report (United States District Court, Western District of Washington)

May 28, 2021

Case No. 2:20-cv-01856-RSM

Richard Tornetta et al v Tesla Inc. and Directors

Expert Report and Deposition Testimony (Court of Chancery of the State of Delaware)

August 26, 2019

Trial Testimony (Court of Chancery of the State of Delaware)

July 19, 2021

Case No. 2018-0408-JRS

Pampa Energia v Petrobras International

Expert Report (International Court of Arbitration – International Chamber of Commerce)

July 7, 2021

Arbitration Testimony (American Arbitration Association)

March 9, 2023

ICC Case No. 25255/MK

In re Oracle Derivative Litigation

Expert Report and Deposition Testimony (Court of Chancery of the State of Delaware)

September 10, 2021

Rebuttal Report (Court of Chancery of the State of Delaware)

October 18, 2021

Case No. 2017-0337-SG

Robert Davidow v LRN Corporation et al

Expert Report (Court of Chancery of the State of Delaware)

October 24, 2021

Expert Report (Court of Chancery of the State of Delaware)

November 23, 2021

Case No. 2019-0150-MTZ

Garda USA v Sun Capital Partners et al

Expert Report and Deposition Testimony (Supreme Court of the State of New York County of New York)

December 17, 2021

Index No. 657031/2019

Access Bio v Intrivo Diagnostics

Expert Report (The American Arbitration Association)

December 1, 2022

AAA Case No. 01-22-0001-0627

UBS Securities v SVB Leerink, Jason Auerbach et al

Expert Report (Arbitration – Financial Industry Regulatory Authority)

February 10, 2023

Rebuttal Report (Arbitration – Financial Industry Regulatory Authority)

April 6, 2023

FINRA No. 21-02144

Carling O'Brien v Emerald Lake et al

Expert Report and Deposition Testimony (American Arbitration Association)

June 5, 2023

Supplemental Expert Report (American Arbitration Association)

July 26, 2023

Arbitration Testimony (American Arbitration Association)

September 1, 2023

AAA Case No. 01-22-0001-5300

Nikola Corporation v Trevor Milton

Expert Report and Deposition Testimony (American Arbitration Association)

June 14, 2023

AAA Case No. 01-21-0017-1964

XOG Litigation Trust v Russell Kelley

Expert Report and Deposition Testimony (American Arbitration Association)

July 7, 2023

Arbitration Testimony (American Arbitration Association)

October 21, 2023

Case No. 01-22-0002-3114

Stewart Goldstein et al v Alexander Denner, Sarissa Capital et al

Expert Report and Deposition Testimony (Court of Chancery for the State of Delaware)

August 25, 2023

Case No. 2020-1061-JTL

Stefano Fasura v QC Terme US

Expert Report and Deposition Testimony (United States District Court for the Southern District of New York)

October 23, 2023

Rebuttal Report (United States District Court for the Southern District of New York)

November 6, 2023

Case No. 1:21-cv-09030-AT-RWL

Expert Rebuttal Report for the X / Twitter Severance Administration Committee

December 18, 2023

Boston Retirement System v Uber

Expert Report (United States District Court, Northern District of California San Francisco Division)

February 2, 2024

Case No. 19-cv-06361-RS

Houlihan Lokey v Mariadb OLC

Expert Report and Deposition Testimony (Supreme Court of the State of New York County of New York)

March 22, 2024

Case No. 19-cv-06361-RS

Robertshaw v Invesco

Expert Report and Deposition Testimony (United States Bankruptcy Court Southern District of Texas Houston Division)

May 4, 2024

Rebuttal Report (United States Bankruptcy Court Southern District of Texas Houston Division)

May 14, 2024

Trial Testimony (United States Bankruptcy Court Southern District of Texas Houston Division)

May 24, 2024

Case No. 24-90052 (CML)

*In the Matter of the Second Intermediate Account of Ellis
B. Jones, A.D. Scoop Wasserstein, Ben C. Wasserstein, and
Pamela S. Wasserstein, as co-executors of the Will of Bruce Wasserstein, and related matters*
Declaration (Surrogate's Court of the State of New York County of New York)

November 1, 2024

File No. 2009-3927

Testimony as a Corporate Director

Smurfit-Stone Container Corp. Shareholder Litigation

Deposition Testimony (Court of Chancery of the State of Delaware)

April 14, 2011

Case Number 6164-VCP

Sabine Oil & Gas Corporation

Deposition Testimony (United States Bankruptcy Court, Southern District of New York)

January 25, 2016

Hearing Testimony (United States Bankruptcy Court, Southern District of New York)

February 8 - 9, 2016

Case Number 15-11835

GenOn Energy, Inc.

Declaration (United States Bankruptcy Court, Southern District of Texas Houston Division)

October 2, 2017

Hearing Testimony (United States Bankruptcy Court, Southern District of Texas Houston Division)

October 3, 2017

Case Number 17-33695

In re: Toysrus, Inc., et al., Debtors

Declaration (United State Bankruptcy Court for the Eastern District of Virginia Richmond Division)

October 26, 2017

Declaration (United State Bankruptcy Court for the Eastern District of Virginia Richmond Division)

November 9, 2017

Declaration (United State Bankruptcy Court for the Eastern District of Virginia Richmond Division)

May 24, 2018

Declaration (United State Bankruptcy Court for the Eastern District of Virginia Richmond Division)

May 24, 2018

Declaration (United State Bankruptcy Court for the Eastern District of Virginia Richmond Division)

May 25, 2018

Declaration (United State Bankruptcy Court for the Eastern District of Virginia Richmond Division)

May 25, 2018

Deposition Testimony (United State Bankruptcy Court for the Eastern District of Virginia Richmond Division)

July 11, 2018

Declaration (United State Bankruptcy Court for the Eastern District of Virginia Richmond Division)

July 18, 2018

Case No. 17-34665 (KLP)

Sheridan Holding Company II, LLC

Application (United State Bankruptcy Court for the Southern District of Texas Houston Division)

September 23, 2019

Declaration (United State Bankruptcy Court for the Southern District of Texas Houston Division)

September 23, 2019

Application (United State Bankruptcy Court for the Southern District of Texas Houston Division)

September 24, 2019

Case No. 19-35198

Techniplas, LLC

Declaration (United State Bankruptcy Court for the District of Delaware)

May 15, 2020

Case No. 20-11049 (LSS)

In re Intelsat S.A.

Declaration (United State Bankruptcy Court for the Eastern District of Virginia, Richmond Division)

June 9, 2020

Federal Rule of Civil Procedure 30(b)(6) Deposition (United State Bankruptcy Court for the Eastern District of Virginia, Richmond Division)

October 21, 2021

Case No. 20-32299 (KLP)

In re: Nordic Aviation Capital

Application (United State Bankruptcy Court for the Eastern District of Virginia, Richmond Division)

January 20, 2021

Declaration (United State Bankruptcy Court for the Eastern District of Virginia, Richmond Division)

January 20, 2021

Case No. 21-33693 (KRH)

In re: Pipeline Health System, LLC

Declaration (United State Bankruptcy Court for the Southern District of Texas Houston Division)

November 12, 2022

Declaration (United State Bankruptcy Court for the Southern District of Texas Houston Division)

January 12, 2023

Case No. 22-90291 (MI)

In re: Nielsen & Bainridge, LLC et al

Declaration (United State Bankruptcy Court for the Southern District of Texas Houston Division)

March 6, 2023

Declaration (United State Bankruptcy Court for the Southern District of Texas Houston Division)

June 29, 2023

Case No. 23-90071 (DRJ)

In re: Genesis Care PTY Limited et al

Declaration (United State Bankruptcy Court for the Southern District of Texas Houston Division)

June 23, 2023

Declaration (United State Bankruptcy Court for the Southern District of Texas Houston Division)

June 30, 2023

Declaration (United State Bankruptcy Court for the Southern District of Texas Houston Division)

November 19, 2023

Case No. 23-90614 (DRJ)

Harley Franco v Harley Marine & Directors

Deposition Testimony (Superior Court of Washington for King County)

April 4, 2024

Case No. 19-2-10851-7 SEA

In re: Wheel Pros et al

Declaration (United State Bankruptcy Court for the District of Delaware)

October 14, 2024

Case No. 24-11939 (JTD)

November 2024