

# Kenneth C. Wilbur

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## **Litigation Consulting: Expertise and Constraints**

- Primarily interested in advertising, marketing and platforms.
- Have published more than 20 papers on various advertising topics, including many related to platform topics. Impactful researcher in areas including advertising effect estimation, advertising fraud, consumer attention and evaluation of advertising, data-driven advertiser strategies, and multi-sided platform markets.
- Will need to read the complaint and response before I can agree to participate in a case.
- Will only express opinions that I have substantial basis to believe are true.
- Will not work on more than 1 or 2 cases at a time.
- Prefer to work with a support firm.

## **Litigation Consulting Experience**

- U.S. v. Google, Case No. 1:23-cv-00108, US District Court for the Eastern District of Virginia (2024)
  - Wrote 113-page expert rebuttal report, provided 7 hours of deposition testimony
  - Named on the witness list, asked to prepare to testify. However, the other side did not call the expert I rebutted, so the client rested without rebuttal.
  - References available upon request
- Ford v. Sinclair Broadcast Group, et al., Case No. 1:18-cv-02372-TDC, US District Court for the District of Maryland (2018)
  - References available upon request
- United States of America v. AT&T Inc., DirecTV Group Holdings, LLC, and Time Warner, Inc., Case No. 1:17-cv-02511 United States District Court for the District of Columbia (2017)
  - Contributed to expert reports and rebuttals
  - Reference: Jeff Marowits, Keystone Strategy
- Quicken Loans Inc. v. RE/MAX, LLC, Case No. 2:16-cv-13233-DML-RSW U.S. District Court, Eastern District of Michigan (2016)
  - Named expert witness, wrote expert report. Case settled prior to deposition.
  - Reference: Ben Strawn, Davis Graham & Stubbs LLP
- Oral testimony provided to Consumer Financial Protection Bureau investigation hearing (2014)
  - Reference: Jay Varon, Foley & Lardner LLP

- Patty Tomlinson v. FitnessIQ, LLC, Case No. CV-11-239-7, Washington County, AK (2012)
  - Named expert witness, wrote expert report. Case settled prior to deposition.
  - Reference: Tamany Vinson Bentz, Venable LLP
- Mark Berger v. Property ID Corporation et al., Case No. 2:2005cv05373, US District Court for the Central District of California (2008)
  - Named expert witness, wrote expert report. Case settled prior to deposition.
  - Reference: Ken O'Brien, Sheppard Mullin LLP