



JUSTIN R. BLOK

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Education University of Houston – Masters of Business Administration Concentration: Finance
Baylor University - Bachelor of Business Administration Majors: Finance; and Risk Management and Insurance

Professional Affiliations Certified Fraud Examiner
Turnaround Management Association
Licensing Executives Society

Professional History

03/17-Present	Managing Director, OverMont, a Division of Whitley Penn LLP
7/13–2/17	Managing Director, OverMont Consulting LLC
6/09–6/13	Director, OverMont Consulting LLC
9/07–6/09	Managing Consultant, Navigant Consulting (PI) LLC
9/03–9/07	Senior Associate, CRA International, Inc.
8/02–9/03	Excise Tax Analyst, BP Products North America Inc.
9/01–8/02	Excise Tax Analyst, Arthur Andersen

As a Managing Director of OverMont, a Division of Whitley Penn, Mr. Blok has engaged in a variety of litigation matters involving patent, trademark, and copyright infringement, theft of trade secrets, breach of contract, business valuation, bankruptcy, fraud, business interruption, personal injury, and wrongful death. He has worked with both plaintiffs and defendants in the analysis and determination of economic damages, including business interruption, lost profits, reasonable royalties, price erosion, unjust enrichment, diminution of value and insolvency analyses, valuation, fixed, variable, and semi-variable costs, and pre- and post-judgment interest. Mr. Blok's experience spans a variety of industries, including oil and gas, consumer products, professional sports, pharmaceuticals, semiconductors, computer hardware and software, among others.

Range of Industry Experience

- Automobile Manufacture / Sales
- Semiconductor
- Computer hardware and software
- Computer communication equipment
- Wireless communication equipment
- Pharmaceuticals
- Oil & Gas
- Oilfield Services
- Retail and Consumer Products
- LED Lighting
- Professional Services
- Online Travel Agencies
- Restaurant
- Medical Services / Devices
- Forestry
- Financial Services
- Professional Sports
- Health and Beauty Aids
- Insurance
- Real Estate
- Internet Services Providers
- Internet Marketing
- Satellite / Cable Providers
- Activated Carbon
- Water and Waste Water
- Firearms

Examples of Business Experience

Intellectual Property

- Assisted in a patent infringement matter involving a large pharmaceutical company alleged to have infringed patents covering safety syringe technologies. Analyses included a review of the companies' licenses as compared to third-party licenses, design-around alternatives, a detailed analysis of the manufactures sales, costs and profits, and the calculation of lost profits and reasonable royalties.
- Assisted in a patent infringement matter involving a large pharmaceutical company alleged to have infringed patents covering light activated drugs called photosensitizers used to treat a variety of diseases. Analyses included a review of the companies' licenses as compared to third-party licenses, design-around alternatives, a detailed analysis of the manufactures sales, costs and profits, and the calculation of lost profits and reasonable royalties.
- Assisted in a patent infringement matter involving one of the largest computer manufacturers in the world. The dispute involved the alleged infringement of patents covering various search and graphical interface technologies embedded into computers and other electronic devices. Analyses included a review of the companies' licenses as compared to third-party licenses, design-around alternatives, a detailed analysis of the manufactures sales, costs and profits, analysis of marketing surveys conducted on relevant products, and the calculation of reasonable royalties.
- Assisted in a patent infringement matter involving one of the largest semiconductor manufacturers in the world. The dispute involved the alleged infringement of patents covering various multimedia technologies embedded in microprocessors. Analyses included a review of the companies' licenses as compared to third-party licenses, design-around alternatives, a detailed analysis of the manufactures sales, costs and profits, and the calculation of lost profits and reasonable royalties.

- Assisted in a theft of trade secrets matter involving a large activated carbon manufacturer. The dispute involved the alleged theft of certain trade secrets related to the manufacture of activated carbon for emissions reductions at coal-fired power plants. Analyses included a review of the alleged trade secrets, review of the companies' profits and development costs, design-around alternatives, and the calculation of lost profits, unjust enrichment, saved costs, head start advantage, and reasonable royalties.
- Assisted in a theft of trade secrets matter involving the manufacture of ethylene vinyl acetate solar encapsulant products. Analyses included a review of the alleged trade secrets, review of the companies' profits and development costs, and the calculation of lost profits and unjust enrichment.
- Assisted in a trademark infringement matter involving two companies in the portable storage industry. Analyses included a review of the trademarks, a review of the profits realized from the improper use of the marks, and the calculation of unjust enrichment, corrective advertising, and reasonable royalties.
- Assisted in a copyright infringement matter involving a retail furniture chain and its alleged use of copyrighted sales-training manuals. Analyses included a review of the companies' sales, costs, and profits, a review of the copyrighted material, and the calculation of reasonable royalties.

Breach of Contract/Fraud

- Assisted in a breach of contract matter involving an employment dispute and the sale of medical equipment. Analysis included a detailed review of the employment contract, employee income, sales by regional / hospital, profitability of medical equipment, and forecasting future sales of medical equipment.
- Assisted in a breach of contract matter involving a large petroleum and natural gas exploration and production company. The dispute involved certain affiliate charges that were alleged to be above market and/or contracted rates. Analyses involved a detailed review of audit reports, invoices, and an investigation of market rates in or around various formations for both drilling and fracing
- Assisted in a breach of contract matter involving a large pipeline operator and construction company. The dispute involved the construction of a natural gas pipeline in the Midwest region of the United States. Analyses included a detailed review of the relevant contracts, construction schedules, invoices, alleged delays and causes, and the calculation of excess costs and lost profits.
- Assisted in a breach of contract matter between two oil field equipment manufacturers. Analyses included industry research, analysis of relevant licenses, valuation of patents in dispute, research on Most Favored Licensee provisions and calculation of contract default damages.
- Assisted in a breach of contract / fraud matter involving a surgical hospital and the alleged mismanagement of said facility. Analysis included a detailed review of third party cost reimbursement policies and practices; an evaluation of GPO contracts and pricing; and an evaluation of Medicare / Medicaid cost reimbursement policies and practices.
- Assisted in a breach of contract matter involving an assisted living facility. The dispute involved the design of a new secured facility built to house occupants that require an enhanced level of care for management of Alzheimer's disease or other memory-related conditions. Analyses included a detailed review of the relevant contracts, occupancy rates, revenues and expenses, alleged delays and causes, and the calculation of lost profits.

- Assisted in a breach of contract matter in which a large financial institution allegedly invested funds into a high risk portfolio. Analyses included portfolio research, industry research and calculation of contract default damages.
- Assisted in a breach of contract matter in which a large forestry management company allegedly breached their fiduciary duties. Analyses included industry research, competitive analysis and calculation of contract default damages.
- Assisted in a breach of contract matter in which a large financial institution allegedly engaged in a pyramid scheme to defraud investors. Analyses included portfolio research, investment reliance decisions and calculation of contract default damages.

Business Interruption

- Assisted in several business interruption claims related to damages sustained from Hurricane Ike. Analyses included reviewing the company's sales, costs and profits, industry benchmarks, product profitability, recent industry events, economic/industry conditions, trend analysis, and the calculation of business interruption damages.
- Assisted in a business interruption claim involving a costume jewelry wholesaler. Analyses included reviewing the company's sales, costs and profits, industry benchmarks, product profitability, recent industry events, economic/industry conditions, trend analysis, and the calculation of business interruption damages.

Valuation

- Assisted in the valuation of a portfolio of patents related to oilfield completion technologies. The valuation analysis involved the potential profits realized through a monetization strategy involving the potential licensing and / or enforcement of said patents. Analysis included a detailed review of potential licensees; an analysis of revenues and profits realized from implementation of said patents; the potential for required enforcement and resulting awards; and litigation costs for such an enforcement strategy.
- Assisted in the valuation of a patent related to firearm technologies. The valuation analysis involved the potential royalty stream licensor would be expected to realize from licensing efforts of said patent. Analysis included a detailed review of potential licensees; an analysis of potential infringing units sold by these potential licensees; an analysis of a reasonable royalty for rights patented technology, and licensing costs for such a licensing strategy.
- Assisted in the valuation of an oil field drilling company using the market, asset and income approaches. Analyses included reviewing the company's sales, costs and profits, industry benchmarks, product profitability, recent industry acquisitions and competitor financial performance.
- Assisted in the valuation/solvency analysis of an oil and gas exploration/investment company using the asset and market approaches. Analyses included a detailed review of the company's balance sheet and off balance sheet items, sales, costs and profits, industry benchmarks and recent industry acquisitions.
- Assisted in the valuation of a large restaurant chain involving over 50 locations in California using the market, asset and income approaches. Analyses included a detailed review of each location's sales, costs and profits, an analysis of economic factors influencing the value of the franchise, industry benchmarks, recent industry acquisitions.

- Assisted in the valuation of a Texas corporation specializing in water and wastewater equipment and processes for the municipal market related to an ownership dispute. The market, asset and income approaches were analyzed along with a review of the company's sales, costs and profits, industry benchmarks, product profitability, recent industry acquisitions and competitor financial performance.
- Assisted in the valuation of medical equipment, personnel, and facilities. Analyzed financial performance and third party cost reimbursement policies and practices.

Personal Injury / Wrongful Death / Wrongful Termination

- Assisted in a wrongful termination matter involving two former employees of a large pharmaceutical manufacturer. Analyses included a detailed review of historical earnings, advancement potential, and a projection of future earnings at accused pharmaceutical company. I also investigated said employee's earnings at subsequent positions in order to calculate any economic loss resulting from the alleged wrongful termination.
- Assisted in a wrongful death matter involving the accidental discharge of a rifle which resulted in the death of a husband and father of three. Analysis included the calculation of economic losses sustained as a result of the accident specifically related to the decedent's oil and gas investments.
- Assisted in a personal injury matter in which a local physician was in an accident causing long term physical damage and financial loss. Analyses included reviewing the financial performance of her practice, a detailed investigation of time lost due to doctor's appointments related to the accident, lost patients / revenue, saved expenses, patient utilization, work life expectancy, and the calculation of economic losses sustained by the physician as a result of the accident.
- Assisted in a personal injury matter in which a volunteer firefighter was in an accident while in route to a fire. Analyses included reviewing historical salary, an investigation of time lost related to the accident, future work options, work life expectancy, and the calculation of economic losses sustained as a result of the accident.

Expert Testimony

In the United States District Court for the Central District of California

- Johnson Safety, Inc. v. VOXX International Corporation, VOXX Electronics Corp., and Invision Automotive Systems, Inc.
Case No. 5:14-cv-02591
Filed: 12/19/2014

In the United States District Court for the Central District of California Western Division

- Alexsam, Inc. v. Green Dot Corporation, Next Estate Communications, Inc., and Does 1 Through 10, Inclusive
Case No. 2:15-CV-05742
Filed: 06/11/2015

In the United States Bankruptcy Court District of Minnesota

- United States Installment Realty Company and U.S.I. Realty Company, Bankrupts
Case No. BKY 23 84861 and BKY 23 84814

Filed: 10/29/2015

In the United States District Court for the Southern District of Texas Galveston Division

- Unicat Services, LLC & Unicat Catalyst Technologies, Inc. v. Bloom Energy Corporation
Case No. 3:16-cv-00032
Filed: 02/02/2016

In the United States District Court 4th Judicial District Rusk County, Texas

- Corby Hall v. York Risk Services Group, Inc., Granite State Insurance Company, AIG Claims, Inc., and Jason Randall Miller
Case No. 2015-381
Filed: 10/27/2015

In the United States Bankruptcy Court for the Southern District of Texas Houston Division

- Capital General, Inc. v. Teresa Louise Ribelin Cook and Christopher Mark Cook
Case No. 16-34294
Filed: 10/14/2016

In the United States District Court For The Central District of California

- Kiini LLC v. Victoria's Secret Stores Brand Management, Inc., et al.
Case No. 2:15-cv-08433-FMO-GJS
Filed: 02/29/2016

In the United States District Court For The Central District of California

- Bragel International, Inc. v. Charlotte Russe, Inc. and PPI Apparel Group, Inc.,
Case No. 2:15-cv-08364
Filed: 10/26/2015

In the United States District Court For The Central District of California

- Bragel International, Inc. v. Styles for Less, Inc. and PPI Apparel Group, Inc.,
Case No. 8:15-cv-01756-R-FFM
Filed: 03/02/2016

In the United States District Court For The Eastern District of Texas Marshall Division

- Script Security Solutions, L.L.C. v. Protection One Alarm Monitoring, Inc.,
Case No. 2:15-cv-377
Filed: 03/13/2015

In the United States District Court For The Southern District of Texas Houston Division

- Associated Machine Tool Technologies v. Doosan Infracore America, Inc., et al.
Case No. 4:15-cv-02755
Filed: 09/22/2015

In the District Court of Harris County, Texas 165th Judicial District

- Gerald W. Dodgen and Lauren M. Bernard, In Their Individual Capacities and as Heirs and Co-Representatives of the Estate of Kathryn M. Dodgen, v. PJ Trailers Manufacturing, Inc., Case No. 2015-49754
Filed: 08/25/2015

In the District Court for the Southern District of Texas Houston Division

- Sportstar Athletics, Inc., v. Wilson Sporting Goods, Co
Case No. 4:15-cv-1438
Filed: 05/28/2015

In the District Court of LaSalle County, Texas 218th Judicial District

- Cordonna Beaner, Individually and Next Friend of Diana Jones and Dreci Jones and as Representative of the Estate of Undre Jones, et al. v. Chesapeake Energy Corporation, S.P.M. Flow Control Inc. and FTS International Inc., et al.
Case No. 13-06-00156-CVL
Filed: 06/12/2013

In the District Court of Harris County, Texas 334th Judicial District

- Westlake Chemical Corporation and Westlake Vinyls Company, L.P., v. James Construction Group, LLC, Primoris Services Corporation, Gea Refrigeration North America, Inc., and Corpro, Inc.
Case No. 2014-72717
Filed: 12/02/2016

In the United States District Court Northern District of California

- Sprint Solutions, Inc. and Sprint Communications Company, L.P. v. John Russell Snyder d/b/a 31 Echo and Thirty-One Echo, Inc. d/b/a 31 Echo
Case No. 5:15-cv-02439-EJD
Filed: 06/02/2015

In the United States District Court for the Southern District of Texas Victoria Division

- Mark N. Chaffin v. Michael R. Braden and LBC Manufacturing
Case No. 6:14-cv-00027
Filed: 04/16/2014

In the United States District Court for the Eastern District of Texas Marshall Division

- Better Mouse Company, LLC v. SteelSeries ApS, et al.
Case No. 2:14-cv-198
Filed: 03/07/2014

In the United States District Court for the Southern District of Texas Houston Division

- Daniel Peck v. Graham Packaging Company, et al.

Case No. 4:14-cv-02306

Filed: 08/12/2014

In the United States District Court for the Southern District of Texas

- United States of America ex rel. John King & Tammy Drummond Individually, et al. v. Solvay S.A. et al.
Case No. 06-2662
Filed: 08/15/2006

In the District Court of Glasscock County, Texas 118th Judicial District

- Otis Weir v. Laredo Petroleum Holdings, Inc., Laredo Petroleum, Inc., Plaster & Wald Consulting Corp. and Arlie Ruger
Case No. 1646
Filed: 10/25/2012

In the United States District Court for the Southern District of Texas Houston Division

- Jay Martin Barrash, M.D. v. American Association of Neurological Surgeons, Inc.
Case No. 4:13-cv-01054
Filed: 04/11/2013

In the United States District Court for the Eastern District of Texas Tyler Division

- Macrosolve, Inc. v. Antenna Software, Inc., et al.
Case No. 6-11-cv-00287
Filed: 06/06/2011

In the District Court of Houston County, Texas 189th Judicial District

- Swan Re, LLC D/B/A Swan Manor Assisted Living v. Carnes Engineering, Inc., Dan's Commercial Plumbing, LLC and Carnes Design Build, LLC
Case No. 2011-32550
Filed: 05/31/2011

In the District Court of Harris County, Texas 125th Judicial District

- Roslyn Marks v. Deerbrook Mall and the Millard Group
Case No. 2011-28413
Filed: 05/11/2010

In the United States District Court for the Southern District of Texas Houston Division

- Chelsea Marksberry, et al. v. Penray Companies, Inc., Dakota Webster, Splendor Tire Center, Nat Mendez D/B/A Splendor Tire Center, and Hennessy Industries, Inc.
Case No. 4:10-cv-03333
Filed: 09/16/2010

In the District Court of Houston County, Texas 189th Judicial District

- Maria Gutierrez Martinez and Marcos Omar Melendrez v. Acme Brick Company, Donald Howard Jones, and Victor Espinoza, et al.
Case No. 2010-68714
Filed: 10/15/2010

In the United States District Court for the District of Connecticut

- LaTeresa Cameron, Reeves D. Cameron, Wilson R. Cameron, Clay M. Cameron v. Olin Corporation, The Winchester Repeating Arms Company and U.S. Repeating Arms Company, Inc.
Case No. 3:10-cv-01521-JBA
Filed: 09/24/2010

In the District Court of Jefferson County, Texas 172nd Judicial District

- Rama Veluswamy v. Acadian Ambulance Service, Inc. and Joe McBride
Case No. E183590
Filed: 03/20/2009

American Arbitration Association

- George Allibone, M.D.; June Allibone; and Allibone Family Limited Partnership v. Wells Fargo Advisors, LLC; Wachovia Securities, LLC; A.G. Edwards & Sons, LLC; Joseph C. Klages; and Nolan S. Caldwell
Case No. 09-04204
Filed: 09/24/2010

Recent Speeches

“Calculating Damages in Litigation” Baylor University Law School, May 2017.

“Trade Secret Damages” University of Houston Law School, March 2017.

“Patent Litigation Damages” South Texas College of Law Houston, March 2017.

“Economic Damages in Trademark Litigation” University of Houston Law School, November 2016.

“Lanham Act Damages” University of Houston Law School, April 2016.

“Trade Secret Damages” University of Houston Law School, March 2016.

“Economic Damages and Trademark Litigation” University of Houston Law School, February 2014.

“Preserving and Protecting Corporate Assets” State Bar of Texas 21st Annual Texas Minority Counsel Program, November 7, 2013.

“Financial Statement Analysis – Accounting for Lawyers” Andrews Myers P.C., February 4, 2013.

“Trade Secret – Value and Damages Considerations” Houston Intellectual Property Law Association, September 6, 2012.

“Financial Statement Analysis – Accounting for Lawyers” Locke Lord, LLP, July 2012.

“Economic Damages in Trade Secret Litigation” University of Houston Law School, April 2012.

“Economic Damages and Trademark Litigation” University of Houston Law School, November 2010.

“Post Lucent Damages” Multiple Law firms, Spring 2010.

“Proving Commercial Damages: Lost Profits versus Lost Value,” Presentation Litigation and Trial Tactics Conference, University of Houston Law Foundation, December 2008.

Publications

“Valuation of Early-Stage Pharmaceutical Companies.” Thomson Reuters Valuation Strategies, May/June 2014.

“Considerations for Start-Up Biotech Company Valuation.” Journal of Commercial Biotechnology, April 2014.

“Proving Commercial Damages: Lost Profits versus Lost Value.” University of Houston Law Foundation, December 2008.