

1 Marvin A. Tenenbaum  
2 Berkeley Research Group, LLC  
3 70 W. Madison, Suite 5000  
4 Chicago, IL 60602  
5 Tel: (312) 429-7900  
6 Fax: (312) 637-4974  
7 Email: mtenenbaum@thinkbrg.com

8 Consultants to Receiver  
9 Thomas A. Seaman

10 **UNITED STATES DISTRICT COURT**  
11 **CENTRAL DISTRICT OF CALIFORNIA**  
12 **SOUTHERN DIVISION**

13 SECURITIES AND EXCHANGE  
14 COMMISSION,

15 Plaintiff,

16 v.

17 EMILIO FRANCISCO; PDC CAPITAL  
18 GROUP, LLC; CAFFE PRIMO  
19 INTERNATIONAL, INC.; SAL  
20 SENIOR LIVING, LP; SAL  
21 CARMICHAEL, LP; SAL CITRUS  
22 HEIGHTS, LP; SAL KERN CANYON,  
23 LP; SAL PHOENIX, LP; SAL  
24 WESTGATE, LP; SUMMERPLACE  
25 AT SARASOTA, LP; SUMMERPLACE  
26 AT CLEARWATER, LP;  
27 SUMMERPLACE AT CORRELL  
28 PALMS, LP; TRC TUCSON, LP;  
CLEAR CURRENTS WEST, LP;  
CAFFE PRIMO MANAGEMENT, LP;  
CAFFE PRIMO MANAGEMENT 102,  
LP; CAFFE PRIMO MANAGEMENT  
103, LP; CAFFE PRIMO  
MANAGEMENT 104, LP; CAFFE  
PRIMO MANAGEMENT 105, LP;  
CAFFE PRIMO MANAGEMENT 106,  
LP; CAFFE PRIMO MANAGEMENT  
107, LP; and CAFFE PRIMO  
MANAGEMENT 108, LP,

Defendants.

Case No. 8:16-cv-02257-CJC-DFM

**FIRST INTERIM FEE  
APPLICATION OF BERKELEY  
RESEARCH GROUP, LLC**

Date: October 2, 2017  
Time: 1:30 p.m.  
Ctrm: 9B, 9th Floor  
Judge: Hon. Cormac J. Carney

## INTRODUCTION

1  
2 Berkeley Research Group, LLC ("BRG"), consultants to Thomas Seaman, the  
3 court-appointed Receiver of Defendants <sup>1</sup> (collectively, "Receivership Entities"),  
4 hereby submits this First Interim Application for Payment of Fees and  
5 Reimbursement of Expenses ("Application"). The Application covers the period  
6 from January 1, 2017, through April 30, 2017 ("Application Period").

7 As reflected below, during the Application Period, BRG performed a total of  
8 117.20 hours of work on behalf of the Receiver, at a weighted average rate of  
9 \$367 per hour, for professional fees totaling \$42,969.00. In addition, BRG incurred  
10 \$2,230.49 in expenses. In accordance with this Court's orders, BRG now requests  
11 the Court approve \$42,969.00 in fees and \$2,230.49 in expenses on an interim basis  
12 and enter an Order authorizing the Receiver to pay 90% of the fees (\$38,672.10) and  
13 100% of expenses incurred.

---

14  
15  
16 <sup>1</sup> The entities included in the receivership are PDC Capital Group, LLC ("PDC"); Caffè Primo International, Inc.  
17 ("Caffè Primo"); SAL Senior Living, LP ("SAL Senior Living"); SAL Carmichael, LP ("SAL Carmichael");  
18 SAL Citrus Heights, LP ("SAL Citrus Heights"); SAL Kern Canyon, LP ("SAL Kern Canyon"); SAL Phoenix, LP  
19 ("SAL Phoenix"); SAL Westgate, LP ("SAL Westgate"); Summerplace at Sarasota, LP ("Sarasota"); Summerplace  
20 at Clearwater, LP ("Clearwater"); Summerplace at Correll Palms, LP ("Correll Palms"); TRC Tucson, LP  
21 ("TRC Tucson"); Clear Currents West, LP ("Clear Currents"); Caffè Primo Management, LP ("CPM"); Caffè Primo  
22 Management 102, LP ("CPM 102"); Caffè Primo Management 103, LP ("CPM 103"); Caffè Primo  
23 Management 104, LP ("CPM 104"); Caffè Primo Management 105, LP ("CPM 105"); Caffè Primo  
24 Management 106, LP ("CPM 106"); Caffè Primo Management 107, LP ("CPM 107"); Caffè Primo  
25 Management 108, LP ("CPM 108"); and their subsidiaries and affiliates, including, but not limited to, Summerplace  
26 Management, LLC ("Summerplace Management"); PDC Partners Management, Inc. ("PDC PM"); and  
27 FDC Partners Management, Inc. ("FDC PM") (collectively, "Named Entities"); and their subsidiaries and affiliates  
28 Summerplace Management, LLC; PDC Partners Management, Inc.; FDC Partners Management, Inc.;  
KPF Capital, LLC; FDC Capital Partners, LLC; MSL US Fund I, LLC; MPoint Land & Development, Inc.;  
Woodcrest Construction Management, Inc.; Professional Loading Service, LLLP; WDC Capital Group, LLC;  
WDC Capital Partners, LLC; KPF Investment Management, Inc.; Meridian Summerplace at Snug Harbor, LLC;  
Meridian Summerplace at Snug Harbor, LP; Summerplace at Correll Palms, LLC; Summerplace at Correll  
Palms, LP; Summerplace at Winter Haven, LLC; Summerplace at Winter Haven, LP; Summerplace at Sun  
City, LLC; Summerplace at Sun City, LP; Meridian at Sun City, LLC; Summerplace at Orlando-  
Summerfield, LLC; Summerplace at Orlando-Summerfield, LP; Summerplace at Kissimmee, LLC; Summerplace  
at Kissimmee, LP; Summerplace at Merced, LLC; Summerplace at Merced, LP; SAL-PDC, LLC; SLALMC, LLC;  
SAL Lincoln Village, IL; Lincoln Village IL, LLC; Lincoln Village IL, LP; Lincoln Village SNF, LLC; Lincoln  
Village SNF, LP; FCM Development Group, LLC; ADC Capital Group, LLC; NCDC Capital Partners, LLC;  
Summerplace at Bonney Lake MC, LLC; Summerplace at Bonney Lake MC, LP; Summerplace  
Management, LLC; Summerplace Development, LLC; Defiance Charters, LLC; and Red Sunshine Holdings, Ltd.  
(collectively, "Affiliated Entities").

1                   **SERVICES PERFORMED DURING THE APPLICATION PERIOD**

2                   On or about January 5, 2017, the Court appointed Thomas Seaman on a  
3 temporary basis. The Receiver was authorized to, among other things, (1) assume  
4 control over the Receivership Entities and their assets ("Receivership Assets");  
5 (2) perform an accounting of the assets and financial condition of the Receivership  
6 Entities; (3) investigate, locate, and recover Receivership Assets; (4) to choose,  
7 engage, and employ attorneys, accountants, appraisers, and other independent  
8 contractors and technical specialists, as the Receiver deems advisable or necessary;  
9 (5) pursue claims and causes of action of the Receivership Entities; and (6) prepare  
10 reports for the Court. Accordingly, the Receiver immediately engaged BRG to  
11 perform data collection, preservation, retrieval, and analytics, as well as computer  
12 forensic services. The Receiver selected BRG due to the firm's extensive experience  
13 and expertise in receiverships as well as bankruptcy and litigation matters.  
14 Additionally, BRG, and specifically the team assigned to this matter, possess  
15 significant experience with corporate networks, data collection/preservation,  
16 databases and computer forensics. Reasonably detailed descriptions of the fees and  
17 expenses incurred by BRG are included in the invoices attached hereto as Exhibit A.  
18 Biographical information of the BRG professionals who performed such services is  
19 attached hereto as Exhibit B.

20                   As summarized below, BRG provided services in the following categories  
21 during the Application Period:

- 22                   1. On-site Forensic Preservation and Documentation
- 23                   2. Remote Forensic Preservation and Documentation
- 24                   3. Secondary On-site Preservation at Affiliate Offices
- 25                   4. Accounting Data Export

26                   The Receiver instructed BRG to undertake these tasks, approved the amounts  
27 billed by BRG in connection with these tasks, and instructed BRG to prepare this  
28

1 Application. BRG completed these tasks as efficiently as possible given the time  
2 constraints, amount of data requested to be preserved, and analysis performed.

3 **1. On-Site Forensic Preservation and Documentation**

4 BRG coordinated resources and materials to be on site and assist the Receiver  
5 with the forensic collection of computers, servers and additional digital devices  
6 located at the PDC offices. BRG performed forensic data preservation on a total of  
7 48 devices in excess of 33 terabytes of total data, being used by the Receivership  
8 Entities, affiliates, and employees. These items are currently secured in BRG's  
9 San Diego forensic lab.

10 In order to complete these activities, BRG staff was required to spend  
11 60.50 hours resulting in fees in the amount of \$23,225.00.

12 **2. Remote Forensic Preservation and Documentation**

13 BRG also assisted with the remote collection of 125 web-based email  
14 accounts, databases, and websites hosted by GoDaddy. Remotely collecting this data  
15 saved a significant amount of fees and travel expenses. In order to complete these  
16 activities, BRG staff was required to spend 44.50 hours resulting in fees in the  
17 amount of \$15,840.00.

18 **3. Secondary On-Site Preservation at Affiliate Offices**

19 Several months after the initial collections at the PDC office, BRG performed  
20 onsite collections of an additional nine computers and other devices at the MPoint  
21 office, an affiliate of PDC. In order to complete these activities, BRG staff was  
22 required to spend 10.90 hours resulting in fees in the amount of \$3,488.00.

23 **4. Accounting Data Export**

24 As requested by the Receiver, BRG searched for and exported Quickbook files  
25 containing accounting data pertaining to PDC and/or one of its entities. In order to  
26 complete these activities, BRG staff was required to spend 1.30 hours resulting in  
27 fees in the amount of \$416.00.

28

**EXPENSES**

In order to complete each of the above tasks, BRG incurred \$2,230.49 in expenses during the application period summarized as follows:

Description	Amount
Mileage	\$67.94
Admin Fee	\$2,148.45
Shipping	\$14.10
<b>Total</b>	<b>\$2,230.49</b>

The majority of expenses relate to travel and a 5% standard admin fee which covers administrative, software, and equipment costs such as Network Attached Storage Devices, Certified Blank Hard Drives, Data Backup Systems, High Speed Network, Telecommunications, Internal Copying and Printing, Itemized Supplies, and specialized equipment and software.

**BRG'S FEES AND EXPENSES ARE  
REASONABLE AND APPROPRIATE**

The amounts sought in this Application are reasonable for the professional services performed by BRG on behalf of the Receiver and the Receivership Entities. BRG believes the services rendered constitute necessary and appropriate services to assist the Receiver in carrying out his duties and obligations. Moreover, BRG believes the services rendered provided substantial benefit to the Receiver and the Receivership Entities and therefore respectfully submits that its fees and expenses are fair and reasonable and should be approved on an interim basis.

**CONCLUSION**

Accordingly, BRG respectfully requests the Court enter an Order approving, on an interim basis, BRG's fees in the amount of \$42,969.00, its expenses in the amount of \$2,230.49, and authorizing the Receiver to pay BRG 90% of its fees incurred, or \$38,672.10, and 100% of its expenses, in the amount of \$2,230.49.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Dated: June 30, 2017

BERKELEY RESEARCH GROUP, LLC



---

Marvin A. Tenenbaum  
Senior Vice President & General Counsel

# **EXHIBIT A**

Thomas Seaman, CFA  
Thomas Seaman, Receiver for PDC Capital Group  
3 Park Plaza, Suite 550  
Irvine, CA 92614

February 27, 2017  
Client-Matter: 10920-16208  
Invoice #: 49801  
Tax ID # 27-1451273

Via Email: tom@thomasseaman.com

---

**RE: SEC v. PDC Capital Group**

Services Rendered Through January 31, 2017

Professional Services	\$	39,065.00	USD
Expenses Incurred		<u>2,039.44</u>	
<b>CURRENT CHARGES</b>	<b>\$</b>	<b>41,104.44</b>	<b>USD</b>

**PAYMENT IS DUE BY March 29, 2017**

Please direct questions regarding this invoice to: Michael Bandemer at (619) 823-8867 or mbandemer@thinkbrg.com.

**Please remit payment by check to:**

Berkeley Research Group, LLC  
2200 Powell Street, Suite 1200  
Emeryville, CA 94608

**Please remit payment by wire or ACH to:**

Bank Name: PNC Bank, N.A.  
SWIFT: PNCCUS33ENJ  
ABA #: 031207607  
Account Name: Berkeley Research Group, LLC  
Account #: 8026286672  
Reference: 49801

Remittance advices are to be sent to:  
remitadvice@thinkbrg.com



Services Rendered Through January 31, 2017

**PROFESSIONAL SERVICES**

	<u>Rate</u>	<u>Hours</u>	<u>Amount</u>
<b>Managing Director</b>			
Michael Bandemer	500.00	11.00	5,500.00
<b>Associate Director</b>			
Vishal Oza	465.00	13.00	6,045.00
<b>Senior Managing Consultant</b>			
David Jimenez	360.00	40.00	14,400.00
<b>Managing Consultant</b>			
Darielle Delgado	320.00	41.00	13,120.00
<b>Total Professional Services</b>		<u>105.00</u>	<u>39,065.00</u>

**EXPENSES**

Computer Supplies/Hardware	86.19
In-House Costs: Technology, Fax, Phone, Supplies & Photocopies	<u>1,953.25</u>
<b>Total Expenses</b>	<b>2,039.44</b>

Services Rendered Through January 31, 2017

**DETAIL OF PROFESSIONAL SERVICES**

<u>Date</u>	<u>Name</u>	<u>Description</u>	<u>Hours</u>
01/05/17	Michael Bandemer	Onsite collection and evidence preservation at direction of receiver – T. Seaman.	4.25
01/05/17	David Jimenez	Provided remote support to gather information regarding hosted websites, hosted email setup and hosted databases.	3.50
01/05/17	Vishal Oza	Conference call(s) with Mike B. and David J. discussing new matter; on-site time for meetings with client IT, Tom S. and others.	6.00
01/06/17	Michael Bandemer	Onsite collection and evidence preservation at direction of receiver – T. Seaman.	5.50
01/06/17	Darielle Delgado	Onsite collection. Travel to/from PDC location.	12.60
01/06/17	David Jimenez	Performed collection of websites and databases. Reset account passwords.	5.50
01/06/17	Vishal Oza	On-site forensic data collection and computer imaging.	7.00
01/09/17	Michael Bandemer	Onsite collection and evidence preservation at direction of receiver – T. Seaman.	1.25
01/09/17	Darielle Delgado	Onsite collection. Travel to/from PDC office.	12.60
01/09/17	David Jimenez	Performed collection of websites and databases. Reset account passwords.	6.25
01/10/17	Darielle Delgado	Onsite collection. Travel to/from PDC office.	8.70
01/10/17	David Jimenez	Performed collection of websites and databases. Reset account passwords.	8.50
01/11/17	Darielle Delgado	Create backup and documentation.	2.60
01/11/17	David Jimenez	Performed collection of websites and databases. Reset account passwords.	4.50
01/12/17	Darielle Delgado	Create backup, update documentation, remote collection of network shares.	2.40
01/12/17	David Jimenez	Performed collection of websites and databases. Reset account passwords.	2.25
01/13/17	Darielle Delgado	Update documentation and remote collection of network share.	2.10
01/13/17	David Jimenez	Performed collection of websites and databases. Reset account passwords.	2.75
01/17/17	David Jimenez	Performed collection of websites and databases. Reset account passwords.	3.00

<u>Date</u>	<u>Name</u>	<u>Description</u>	<u>Hours</u>
01/18/17	David Jimenez	Performed collection of websites and databases. Reset account passwords.	2.50
01/20/17	David Jimenez	Performed collection of websites and databases. Reset account passwords.	1.25
<b>Professional Services</b>			<hr/> <b>105.00</b> <hr/>

Thomas Seaman, CFA  
Thomas Seaman, Receiver for PDC Capital Group  
3 Park Plaza, Suite 550  
Irvine, CA 92614

May 31, 2017  
Client-Matter: 10920-16208  
Invoice #: 52823  
Tax ID # 27-1451273

Via Email: [tom@thomasseaman.com](mailto:tom@thomasseaman.com)

---

**RE: SEC v. PDC Capital Group**

Services Rendered Through April 30, 2017

Professional Services	\$	3,904.00	USD
Expenses Incurred		<u>277.24</u>	
<b>CURRENT CHARGES</b>	<b>\$</b>	<b>4,181.24</b>	<b>USD</b>
 <i>OUTSTANDING INVOICES</i>			
Invoice # 49801 - Dated 02/27/17		41,104.44	
<b>BALANCE DUE</b>	<b>\$</b>	<b>45,285.68</b>	<b>USD</b>

**PAYMENT IS DUE BY June 30, 2017**

Please direct questions regarding this invoice to: Michael Bandemer at (619) 823-8867 or [mbandemer@thinkbrg.com](mailto:mbandemer@thinkbrg.com).

**Please remit payment by check to:**

Berkeley Research Group, LLC  
2200 Powell Street, Suite 1200  
Emeryville, CA 94608

**Please remit payment by wire or ACH to:**

Bank Name: PNC Bank, N.A.  
SWIFT: PNCCUS33ENJ  
ABA #: 031207607  
Account Name: Berkeley Research Group, LLC  
Account #: 8026286672  
Reference: 52823

Remittance advices are to be sent to:  
[remitadvice@thinkbrg.com](mailto:remitadvice@thinkbrg.com)

Services Rendered Through April 30, 2017

**PROFESSIONAL SERVICES**

	<u>Rate</u>	<u>Hours</u>	<u>Amount</u>
<b>Managing Consultant</b>			
Darielle Delgado	320.00	12.20	3,904.00
<b>Total Professional Services</b>		<u>12.20</u>	<u>3,904.00</u>

**EXPENSES**

Express Messenger/Shipping			14.10
Travel - Mileage			67.94
In-House Costs: Technology, Fax, Phone, Supplies & Photocopies			<u>195.20</u>
<b>Total Expenses</b>			<b>277.24</b>

Services Rendered Through April 30, 2017

**DETAIL OF PROFESSIONAL SERVICES**

<u>Date</u>	<u>Name</u>	<u>Description</u>	<u>Hours</u>
04/17/17	Darielle Delgado	Travel to/from mPoint office location for collection.	2.10
04/17/17	Darielle Delgado	Preservation, verification, backup, documentation and chain-of-custody.	5.10
04/18/17	Darielle Delgado	Backup and update report.	2.60
04/21/17	Darielle Delgado	Extract and upload to client Quickbooks files.	1.30
04/26/17	Darielle Delgado	Preservation, verification, backup, documentation and chain-of-custody of tablet.	1.10
<b>Professional Services</b>			<hr/> <b>12.20</b> <hr/>

# **EXHIBIT B**



## Michael R. Bandemer

**CPA, EnCE, CFF, CMA, CITP**

Managing Director

P: 619.823.8867

mbandemer@thinkbrg.com

### Summary

Michael Bandemer is a Managing Director with Berkeley Research Group and leader of its Discovery and Forensic Technology Practice which specializes in e-discovery, digital forensics and investigations. Prior to joining Berkeley Research Group, Mr. Bandemer was a Managing Director with Huron Legal, an international advisory and business services firm, and previously the national practice leader of LECG's Legal Technology and Analytics Consulting group (LTAC) which specialized in e-discovery, digital forensics and data analytics and provided strategic consulting, expert testimony and services to corporations and law firms across all phases of discovery.

Mr. Bandemer has performed or supervised the preservation, forensic collection and analysis of electronically stored information ("ESI") from corporate networks, databases, personal computers (Mac and PC), phones, tablets, external storage devices, social media, archives, cloud providers and other digital storage media in hundreds of matters ranging from internal and federal investigations to commercial disputes. Mr. Bandemer advises both corporate and law firm clients and provides expert testimony regarding various information management and legal technology issues including internal discovery processes, procedures, best practices, evidence preservation and collection, computer forensics, electronic discovery, complex data analytics, and other information technology issues.

Mr. Bandemer has qualified in court as an expert in e-discovery and computer forensics and provided testimony at deposition, arbitration and federal and state court. He has been selected as an independent e-discovery expert and has served as a 30(b)(6) corporate representative, special master and court appointed third-party neutral in various engagements. In these matters Mr. Bandemer has addressed discovery issues concerning records management, accessibility, burden, preservation, collection, spoliation, search and production.

The diverse range of matters Mr. Bandemer has assisted with includes misappropriation of trade secrets, internal investigations, breach of contract, business interruption, employment disputes, fraud investigations, securities, and wage and hour class actions among others. He has experience in a broad spectrum of industries including high technology, financial services, construction, professional services, gaming, hospitality, entertainment, oil and gas, government, retail, auto, railroad, entrepreneurial business, manufacturing, and real estate.

### Professional Experience

Berkeley Research Group	Managing Director	2014 to Present
Huron Consulting Group	Managing Director	2011 to 2014
LECG (Mack Barclay Inc.)	Partner	1994 to 2011
Peterson Consulting, L.P.	Senior Consultant	1990 to 1994
Phelps Dodge Corporation	Associate	1988 to 1990





### Education and Certifications

Bachelor of Science in Finance, Arizona State University 1990, *cum laude* graduate.  
Member of the Golden Key Honor Society  
Selected for *Who's Who Among Students in American Universities and Colleges*  
Served as the chief budgeting assistant for the Associated Student Body (1989–1990)

Certified Public Accountant, 1998  
Certified Management Accountant, 1995  
Certified Information Technology Professional, 2001  
Certified EnCase Computer Examiner, 2003  
Certified Financial Forensics, 2008

Continuing education as lecturer and participant.

### Patents Held

System and Method for Managing Observational Information Items  
United States 7,107,278 B1, Issued September 12, 2006  
Structural relational database and interface developed for managing electronic information, photos, and digitized field drawings/notes and other information in construction defect matters.

### Professional Associations

American Institute of Certified Public Accountants  
High Technology Crime Investigation Association  
The Sedona Conference Working Group:  
    Electronic Document Retention and Production  
California State Society of Certified Public Accountants  
Association of Certified Fraud Examiners  
Association of Records Managers & Administrators  
Association for Information and Image Management  
Institute of Management Accountants

### Publications

*Digital Forensics in Trade Secret Investigations*  
    *Trade Secret Litigation and Protection in California (Third Edition)*  
    Section Co-contributor, State Bar of California, December 2014  
*The Changing ESI Landscape: How a Proactive eDiscovery Program can Control Litigation Costs*  
    XPRT Forum Magazine, March 2010  
*The Rising Costs of Litigation*  
    Fox Business Channel, March 2010



*Anatomy of an IP Theft: A Case Study of a Forensic Computer Investigation*

e-Discovery Law & Strategy, September 2007, Volume 4, Number 5

*You Want Me to do What? A Practical Look at the Question of Proper Preservation of Electronically Stored Information in Today's Business Litigation Environment* with Sergio D Kopelev

Nevada Lawyer, October 2006

*Computer Forensics, an Effective HR Tool*

Employers Group People & Productivity Newsletter, April/May 2002, Volume 59

### **Board Experience**

Past President and 1<sup>st</sup> Vice President - High Technology Crimes Investigation Association (HTCIA); San Diego Chapter  
Youth Tennis San Diego—Board of Directors, Past President



## David Jimenez

### EnCE

Senior Managing Consultant

D 713.493.2553 | M 281.217.1310

djimenez@thinkbrg.com

700 Louisiana Street, Suite 1750  
Houston, TX 77002

### Summary

David Jimenez is a Senior Managing Consultant with Berkeley Research Group. Prior to joining BRG, he was a Manager with Huron Consulting Group. He has over 12 years of experience and expertise advising both corporate and law firm clients on information technology issues. He specializes in performing legally defensible electronic collections and conducting digital forensic investigations, e-discovery project management and incident response.

Mr. Jimenez has utilized his technical skills to collect and analyze data from a broad spectrum of sources including geolocation and seismic equipment, physical access control systems, medical devices, mainframes, and air quality monitoring instruments.

Mr. Jimenez has performed hundreds of computer forensic investigations, performed onsite analysis of cyber security breaches, and has assisted legal counsel with the preservation and management of large volumes of data in response to civil litigation, government inquiries and internal investigations.

### Professional Experience

- 2014 – Present                      Berkeley Research Group LLC
- 2012 – 2014                         Huron Consulting Group
- 2008 – 2012                         LCG Discovery Experts
- 2007 – 2008                         Huron Consulting Group
- 2005 – 2007                         Baker Robbins & Co.
- 2002 – 2005                         Beirne, Maynard & Parsons L.L.P.

### Education and Certifications

- EnCase Certified Examiner (ENCE), 2013
- 60+ course hours at San Jacinto College, 2003
- Cisco Certified Network Associate (CCNA), 2000
- Licensed Private Investigator
- Native Spanish Speaker

### Expert Testimony

- |                |  |
|----------------|--|
| June 2014:     | US District Court Southern District of Texas: Vincent Edward Roach Sr. vs. Compass Manufacturing International LLC |
| July 2010:     | 61 <sup>st</sup> District Court of Texas: Catalyst Services Inc. vs. Caskey, Paul                                  |
| March 2010:    | 113 <sup>th</sup> District Court of Texas: Amerigas Propane vs. Texas Star Propane Inc.                            |
| December 2008: | 61 <sup>st</sup> District Court of Texas: Square D Company vs. Dashiell LLC  |

## Curriculum Vitae



**Vishal B. Oza**  
BERKELEY RESEARCH GROUP, LLC  
1600 Dove Street, Suite 400, Newport Beach, CA 92660

Direct: 213.261.7202  
Cell: 714.767.9647  
[VOza@thinkbrg.com](mailto:VOza@thinkbrg.com)

### PRESENT EMPLOYMENT

Berkeley Research Group, LLC, Associate Director

Vishal Oza is a lead investigator within BRG's Global Investigations and Strategic Intelligence practice, specializing in Digital Forensics Investigations, Technology and eDiscovery services.

Mr. Oza brings over 10 years of experience in high-tech investigations, computer forensics, and information security. As an expert in his field, Mr. Oza provides services and solutions for clients in preparation of and response to matters involving data breach investigations, information security and digital forensic analysis.

Mr. Oza has experience in providing computer forensics and investigative services in connection with dozens of legal actions as well as internal investigations, audit committee inquiries, and regulatory agency investigations. He recovers facts from computers and electronic storage devices to help attorneys, auditors and investigators make informed decisions. Mr. Oza provides objective assessments of digital evidence in matters related to legal or ethical issues, misappropriation of trade secrets, intellectual property issues, contract disputes, fraud investigations, alleged hacking, and employment disputes, among others.

Mr. Oza has participated in or managed numerous projects in North America, Europe and Asia for Fortune 500 companies. He has collected forensic evidence from many international locations including Canada, Mexico, United Kingdom, Costa Rica, Brazil, Australia and Singapore.

Mr. Oza received his Bachelor of Science degree in Business Administration with a concentration in Computer Information Systems from University of Southern California (USC). He has received extensive formal training in computer forensics, incident response, data recovery and evidence handling.

### PREVIOUS POSITIONS

Navigant Consulting, Inc., Associate Director, 2008 – 2015

LECG LLC, Senior Associate, 2007 - 2008

KPMG LLP, Associate, 2005 - 2007



## **PROFESSIONAL AWARDS, RECOGNITION, AND PRIZES**

December 2013	Navigant – Most Outstanding Client Outcome of The Year
November 2006	KPMG Encore Award – Standing Ovation
December 2006	KPMG Encore Award – Standing Ovation

## **PROFESSIONAL AFFILIATIONS**

### ***Present***

Member, *Information Systems Security Association (ISSA)*  
Member, High Technology Crime Investigation Association (HTCIA)  
Member, High Technology Crime Consortium (HTCC)  
Member, InfraGard (Los Angeles Chapter)

## **PUBLICATIONS**

### **ARTICLES**

- (1) “Your Data Are In China. The Judge Has Ordered You To Produce Them In The U.S. Now What?”, American Bar Association EDGE Journal, January 2013
- (2) “Data Breach - What Are The Risks To My Company?”, JDSupra.com, September 2012



## Darielle D. Delgado

Managing Consultant

P: 619.318.0851

[dadelgado@thinkbrg.com](mailto:dadelgado@thinkbrg.com)

12707 High Bluff Drive, Suite 200  
San Diego, CA 92130

### Summary

Darielle Delgado, a Managing Consultant in San Diego, is an experienced technologist with more than 10 years of experience in the electronic discovery field. His expertise includes data analytics, computer forensics, electronic discovery, investigations, and incident response. Darielle's engagement history includes matters relating to intellectual property, internal investigations, bankruptcy, revenue recognition, racial discrimination and SEC inquiries and investigations.

Darielle has provided network connectivity support, discovery assistance, and forensic data acquisitions services in varied matters and industries. He has extensive training in the use of forensic software and computer investigations. Darielle assists in the development of custom software applications and data organization solutions providing data analysis, conversion, recovery, integration, and reporting services to both law firms and business clients.

### Professional Experience

Berkeley Research Group	Managing Consultant	2014 to Present
Huron Consulting Group	Associate	2011 to 2014
Mack Barclay Inc.	Consultant	2000 to 2011

### Education and Certifications

Bachelor of Science, Business Administration with emphasis in Information Technology  
San Diego State University

EnCase Certified Examiner, EnCE