

**David D. McDonald
Curriculum Vitae**

Professional Summary



Mr. McDonald has over 40-years of experience in product marketing & development, sales and corporate management and legal support consulting with extensive P&L responsibility. His experience includes the founding of two expert witness referral service firms, creating a R&D team to develop a new wireless test system, securing venture capital to start a communications test measurement company and creation of a highly successful technical manufacturers' representative, consulting, marketing and training organization.

Expertise

- Corporate Management
- Engineering Management
- Legal Consulting & Expert Witness Services
- Product Development
- Product Marketing
- Sales and Marketing
- Test & Measurement Systems

Education

<u>Year</u>	<u>College or University</u>	<u>Degree</u>
1994	LaSalle University	BS Business Management
1957-60	San Jose State, University of Kentucky	
	<u>Continuing Education:</u>	
1995	San Jose State University Center for Electronic Materials & Devices	Microfabrication Technology

Professional Experience

From: 2002
To: Present
Organization: National Expert Witness Network, LLC, Magalia & Menlo Park, CA
Title: Founder & President
Summary: Responsible for all business operations for this nationwide expert witness referral service for the legal profession that specializes in consultants with expertise in

David D. McDonald Curriculum Vitae

high technology. Consultants are academics and industry practitioners who have realized high academic achievement.

From: 2002
To: Present
Organization: Technology CLE® Magalia & Menlo Park, CA
Title: Founder & President
Summary: Responsible for all business operations for Internet-based eCommerce business that specializes in the development of original coursewares in scientific subject-matter for legal professionals that are accredited by nearly 40 continuing legal education jurisdictions in the United States. The web site (<http://www.tcle.com>) was launched April 1, 2006 offering coursewares in a variety of technology subjects. Courses are presented in various presentation modes including self-study, participatory and live web-cast.

From: 1998
To: 2002
Organization: Silicon Valley Expert Witness Group, Inc., Mountain View, CA
Title: Founder, Vice President & COO
Summary: Provided expert witness and consulting services to the legal profession and industry with a focus on litigation support. Company recruits consultants with experience in technology for legal clients. Offers a comprehensive range of support services for the legal industry.

From: 1996
To: 1998
Organization: Ameritec Corporation, West Covina, CA
Title: General Manager, Wireless Test Systems Group
Summary: Responsible for R&D, engineering, product marketing, product assembly & test, and customer support for a new cellular and PCS wireless test system. Duties included creation of new business group, establishing the company's first satellite office and hiring engineering and support staff. Brought to market the SWARM™ (Subscriber Wireless Automated Remote Measurement) system in less than 2 years.

From: 1990
To: 1996
Organization: FTI/Teklicon, Inc., Mountain View, CA
Title: General Manager

David D. McDonald Curriculum Vitae

Summary: Responsible for management and operations for high technology consulting firm that provided support services for law, industry and venture capital. Responsibilities include general management, supervision of consultant and expert witness recruiting, patent validity studies, discovery investigation, damage studies, deposition support and technology seminars, project management of complex cases.

From: 1988

To: 1990

Organization: Crosspoint Systems, Inc., Mountain View, CA

Title: President & CEO

Summary: Developed business plan and operating plan to support a \$3.25 million first round venture capital funding to create a start-up manufacturing company of electronic test management systems for the worldwide communications marketplace. Recruited the senior management team, directed the initial product development, devised the sales and marketing strategy and provided general management for the early stage evolution of the company. Other accomplishments included:

- Negotiation for the acquisition, and transfer, of the core technology used in the Crosspoint Systems product line.
- Recruitment of domestic and international distributors, and sales representative organizations, to introduce the company's initial products into the worldwide communications test measurement marketplace.
- Formulated a strategic partnership agreement with a major DOD/DCA manufacturer and systems integrator, a division of a Fortune 100 company, for the merger of hardware and software products and technology.
- Directed the sale of Crosspoint products into the end-user, OEM, operating telephone companies, inter-exchange common carrier and system integrator market segments.

From: 1972

To: 1988

Organization: CSS Telecommunications, Inc., Mountain View, CA

Title: Co-Founder & President

Summary: Established one of the first consulting and sales representative firms dedicated to the communications industry. Successfully completed a variety of product marketing studies for industry leaders, including NEC Corporation SRI (Stanford Research International). Developed a sales team that provided a high caliber, achievement oriented extension to the direct sales organizations of several communications manufacturers. Became a recognized leader in consulting and

David D. McDonald Curriculum Vitae

domestic sales of telecommunications products and systems for leading telecommunications companies, including:

- ADC Telecommunications (NASDAQ: ADCT)
- Dynatech Corporation
- Hekimian Laboratories, Inc.
- NEC America, Inc.
- NEC Corporation, Ltd.
- Telecommunications Techniques Corp.

In 1983, formed a Subsidiary, the Institute for Telecommunications Instruction (ITI) to develop technical training and product documentation for major telecommunications companies and Fortune-500 corporations, including AT&T, Pacific Bell, Tektronix, NEC America, Mark Products, Chevron Corporation and Wells Fargo Bank. Conceived and supervised the development of a microcomputer-driven interactive videodisc training program on analog transmission fundamentals.

From: 1969
To : 1972
Organization: Sangamo Electric Company (Schlumberger Limited) Springfield, IL
Title: Western Regional Manager, Communications Systems Division
Summary: Managed operations within the 13 western States and western Canada for the newly created Communications Systems Division. Products were modems manufactured under patent license agreement with Western Electric Company (AT&T Technologies), variable line conditioners for data communications circuits, synchronous tape decks for digital data storage, and inductive components. Built a sales organization that included domestic sales representatives and Canadian distributors.

From: 1961
To: 1969
Organization: Pacific Telephone Company (SBC), San Francisco, CA
Title: Various Management Positions
Summary: Employment experience included management and supervisory positions in the Marketing Department, General Administration Staff and Special Service Operations. Attended various Bell System sponsored technical training courses from 1961-1969, entailing over 32 weeks of classroom time.

**David D. McDonald
Curriculum Vitae**

Litigation Support Experience

Consulting Expert

Date: 1994
Type of Matter: Patent Infringement
Law Firm: Spensley, Horn, Jubas & Lubitz
Case Name: Security Access v. Toshiba
Services Provided: Prior art research on telephone toll restriction systems
Disposition: Undisclosed

Expert Witness

Date: 1994
Type of Matter: Legal Mal-Practice
Law Firm: Long & Levit
Case Name: Nolan Lewis v. Bley & Bley
Services Provided: Expert witness on the custom and practice of manufacturers' representative and principal relationships
Disposition: Settled

Consulting Expert

Date: 1993
Type of Matter: Trademark Infringement
Law Firm: Gibson, Dunn & Crutcher
Case Name: Ameritech Corporation v. Ameritech Corporation
Services Provided: Research consultant regarding confusion among relevant public with regard to logos in the telecommunications marketplace
Disposition: Bench trial

Expert Witness

Date: 1992
Type of Matter: Contract Dispute
Law Firm: McCutchen, Doyle Brown & Enerson
Case Name: Nolan Lewis v. Radofin Electronics
Services Provided: Expert witness on the custom and practice of manufacturers' representative and principal relationships
Disposition: Settled

Consulting Expert

Date: 1990
Type of Matter: Patent Infringement
Law Firm: Fish & Neave
Case Name: IBM v. Commodore Corporation (Pre-litigation)

David D. McDonald
Curriculum Vitae

Services Provided: Prepare invalidity arguments on IBM patents relative to computer graphics. Found §102 (a) prior art that anticipated the claims of 4 patents.
Disposition: Favorable Patent License Agreement

Consulting Expert

Date: 1993
Type of Matter: Patent Infringement
Law Firm: Graham & James, Lyon & Lyon for Mitsubishi Electric Company
Case Name: National Semiconductor Corporation v. Mitsubishi Electric Company/Mitsubishi Electric Company v. National Semiconductor Corporation
Services Provided: Supervise the work of multiple experts engaged to reverse engineer; conduct claims analysis and infringement, and invalidity arguments relative to semiconductor circuit-level and manufacturing process patents
Disposition: Settled

Consulting Expert

Date: 1991
Type of Matter: Insurance claim
Law Firm: Brobeck Phleger & Harrison
Case Name: National Semiconductor Corporation and Schlumberger on behalf of Fairchild Semiconductor v. Truck Insurance Group
Services Provided: Supervise the work of 6 Expert Witnesses engaged to assess custom and practice relative to transportation, storage, use and disposal of chemicals used in semiconductor manufacturing process
Disposition: Settled

Professional Affiliations, Achievements & Awards

- Member, IEEE
- Member, IEEE Communications Society

Patents & Publications

<u>Patent Applications</u>	<u>Filing Date</u>	<u>Description</u>
60/690,194	June 2005	Method and System for Submission, Design and Creation of Courseware
60/690,169	June 2005	Method and Syst4em for Presenting and Delivering Online Scientific CLE Courseware
60/783-587	April 2006	Method and System for Implementing Online Accreditation

David D. McDonald Curriculum Vitae

Publications

1. D. D. McDonald, J Osbelt, "How to Hire an Expert Witness," <http://www.tcle.com> accredited Continuing Legal Education online training course.
2. D. D. McDonald, "Quality of Service Impacts Churn Rates," *Wireless Business & Technology*, February 1998
3. D. D. McDonald and James G. Luce, Esq., "How to Choose an Expert Witness," *San Francisco Attorney*, October/November 1996.
4. D. D. McDonald and G. J. Summers, "Revising Patent Possibilities," *The Recorder*, May 6, 1992.
5. D. D. McDonald and G. J. Summers, "Techno-Consultants Aid in Early Discovery," *The Recorder*, September 27, 1991.
6. D. McDonald, J. Barber, "Data Communications Protocols," a four day instructor led training course designed for data communications technicians which stressed use of protocol analyzers in the fault isolation and analysis of protocol problems, ©1985 *Institute for Telecommunications Instruction*.
7. D. McDonald, G. Loye, "Digital Data Transmission," a three day instructor led technical seminar for telecommunications technicians and managers written to outline digital carrier, digital microwave, fiber optic and other digital transmission methods, ©1985 *Institute for Telecommunications Instruction*.
8. D. D. McDonald, "LP COM TC-2000-02 Protocol Operations Manual," ©1985 *LP COM*,
9. D. D. McDonald, "Basic Data Communications," a four day instructor led technical seminar designed for entry level telecommunications technicians to impart the fundamentals of the various segments that make up data communications, ©1983 *Institute for Telecommunications Instruction*.
10. D. McDonald, J. Barber, "Analog Transmission Fundamentals," a four day instructor led training course for telecommunications technicians containing a significant time component for hands-on use of transmission measuring instrumentation, ©1983 *Institute for Telecommunications Instruction*.