



## Chief Executive Officer

# John H. Johnson, PhD

email: [jjohnson@edgewortheconomics.com](mailto:jjohnson@edgewortheconomics.com)

### Washington, DC

1111 19th Street NW  
12th Floor  
Washington, DC 20036  
202.559.4388

### PRACTICE AREAS

Antitrust & Competition  
Antitrust Litigation  
Class Certification  
Damages  
Data Analytics  
Discrimination  
Labor & Employment  
Mergers & Acquisition Analysis  
No Poaching  
Pro Bono

### EDUCATION

Dr. Johnson received his PhD in economics from the Massachusetts Institute of Technology and his BA in economics, with highest distinction, from the University of Rochester.

Dr. John Johnson founded and helped build Edgeworth Economics into a world-class economic consulting firm, bringing together a group of the brightest, most rigorously trained economists in the industry. He is recognized as one of the leading econometricians practicing today. A teacher at heart, Dr. Johnson is known for his ability to explain technical concepts simply and clearly.

In his consulting practice, Dr. Johnson uses econometrics and economic theory to develop careful analyses in antitrust, class certification, labor and employment, and damages-related matters. He has served as an antitrust expert witness and consultant in high-stakes cases in the United States, Canada, Europe, and Asia, opining on class certification, market definition, anticompetitive effects, liability issues, causation, and damages. In the area of labor and employment, Dr. Johnson analyzes economic issues of liability and damages in discrimination litigations, wrongful termination cases, and wage and hour disputes.

As a distinguished thought leader in his field, Dr. Johnson writes and presents on economic topics related to litigation, including several highly-cited papers on rigorous analysis in antitrust class actions. He has also authored several academic papers on labor class actions and an amicus brief to the Supreme Court in *Comcast v. Behrend*. Dr. Johnson is a past Associate Editor of the *Antitrust Law Journal*.

In addition to his roles at Edgeworth, Dr. Johnson is a member of the Board of Directors of the National Archives Foundation.

### INDUSTRIES

- Agriculture
- Automotive
- Bankruptcy
- Chemical
- Consumer Goods

- Distribution Networks
- Electrical
- Electronics and Software
- Industrial Materials
- Law Enforcement
- Medical Supply
- News and Information
- Pharmaceutical
- Retail
- Technology Market
- Telecommunication
- Textiles
- Tourism
- Transportation

## EVERYDATA

Dr. Johnson shares his expertise in analyzing and communicating data in his book *Everydata: The Misinformation Hidden in the Little Data You Consume Every Day*. Co-authored with award-winning writer Mike Gluck, *Everydata* moves beyond headline-grabbing "big data" and shows how understanding the importance of the "little data" helps people make smarter decisions at work, at home, and in every aspect of life.

The average person consumes approximately 30 gigabytes of data every single day, from stock quotes to weather forecasts, but has no idea how to interpret it correctly. As an expert economist and statistician, Dr. Johnson explains how to decipher the small bytes of data we consume in a day. *Everydata* includes numerous examples of people misconstruing data—with results that range from merely frustrating to catastrophic: The space shuttle Challenger exploded in part because the engineers were reviewing a limited sample set. Millions of women avoid caffeine during pregnancy because they interpret correlation as causation. Attorneys faced a \$1 billion jury verdict because of outlier data. Each chapter highlights one commonly misunderstood data concept, using both real-world and hypothetical examples from a wide range of topics – including business, politics, advertising, law, engineering, retail, parenting, and more – along with concrete ways to use this information to immediately start making smarter decisions.

## APPOINTMENTS

- National Archives Foundation, Board of Directors

## PROFESSIONAL AFFILIATIONS

- American Economic Association
- American Statistical Association
- American Bar Association
  - Labor and Employment Section
  - Antitrust Section
- National Association of Forensic Economists
- International Association of Privacy Professionals

## PREVIOUS EXPERIENCE

- Professor of Economics and Labor and Industrial Relations, University of Illinois, Urbana-Champaign
- Affiliated Professor, Georgetown University, Public Policy Institute
- *Antitrust Law Journal*, Associate Editor
- ABA Antitrust Section, Vice Chairman, Agriculture and Food Committee

## CASE HIGHLIGHTS

### Edgeworth Client Prevails in Rare Antitrust Trial

In July 2022, Endo Pharmaceuticals won a jury trial, defeating claims that it had entered into an anticompetitive agreement with Impax Laboratories to delay a generic version of Endo's Opana ER pharmaceutical.

### Nationwide Class and State Sub-Class Certification Denied

An Edgeworth Economics team, led by Dr. John H. Johnson, was retained by Carrier, a subsidiary of United Technologies Corporation, in a matter in which Plaintiffs alleged that Carrier failed to properly disclose that certain HVAC systems it sold were defective due to the presence of a chemical rust inhibitor that caused the systems to malfunction.

### Ninth Circuit Rules in Favor of Edgeworth Client in No-Poaching Antitrust Litigation

Edgeworth CEO Dr. John Johnson, working with Managing Principal Dr. David Colino, was retained by AMN Healthcare, a major healthcare staffing company, in an antitrust matter brought by a competitor alleging Section 1 and Section 2 claims.

### Edgeworth Client Prevails in No-Poaching Antitrust Litigation

Edgeworth CEO Dr. John Johnson, working with Principal Consultant Dr. David Colino, was retained by AMN Healthcare, a major healthcare staffing company, in an antitrust matter brought by a competitor alleging Section 1 and Section 2 claims.

#### Airlines Settle Long-Running Competition Dispute, Aided by Edgeworth Industry Study

Edgeworth Chief Executive Officer Dr. John H. Johnson and Partner Michael Kheyfets completed an analysis on behalf of Etihad Airways, which demonstrated that services introduced by Etihad have increased competition and consumer choice.

#### Complete Jury Verdict Secured for Edgeworth Client in Antitrust Class Action

An Edgeworth Economics team was retained to consult on behalf of C&S Wholesale Grocers in a matter alleging that C&S and SuperValu conspired to not compete for retail grocery customers in the Midwest and New England.

#### Edgeworth Analysis Cited in Indirect Purchasers' Class Certification Decision in Drywall Antitrust MDL

An Edgeworth Economics team was retained on behalf of Defendants in a multi-district class action alleging collusion among manufacturers of gypsum wallboard (or "drywall").

#### In re: Pool Products Distribution Market Antitrust Litigation

An Edgeworth Economics team was retained on behalf of Pool Corporation and its subsidiaries ("Pool") in a multi-district class action alleging violations of antitrust laws in regard to the distribution of products used for the construction and maintenance of swimming pools ("Pool Products").

#### In re: Class 8 Transmission Indirect Purchaser Antitrust Litigation

A joint defense group retained Edgeworth Economics to analyze class certification and damages issues related to the allegations.

#### Court Rejects Class Certification in Matter Alleging Mislabeling

An Edgeworth Economics team, led by Dr. John H. Johnson and Dr. Jesse David, was retained by Abbott Laboratories, Inc. in a matter alleging that the company misled consumers in its labeling.

#### Alleged Conspiracy in Antitrust Litigation

Edgeworth Chief Executive Officer Dr. John H. Johnson, working with Partner Matthew Milner, was retained by grocery wholesalers in an alleged conspiracy litigation matter.

#### Class Certification Denied in Matter Alleging Mislabeling

Edgeworth Economists Dr. John H. Johnson and Dr. Jesse David were retained by ZonePerfect Nutrition Company in a consumer class action alleging that ZonePerfect had misleadingly labeled its nutritional snack bars as "All-Natural Nutrition Bars."

#### Edgeworth Clients Hershey, Mars, and Nestle Win Summary Judgment

Several Edgeworth experts provided economic analysis and testimony during multiple phases of the litigation on behalf of Hershey, Mars, and Nestle.

#### Gender Discrimination

Edgeworth Chief Executive Officer Dr. John H. Johnson, working with Edgeworth Partners Chuck Fields and Mike Kheyfets, used the available data to demonstrate that the allegations made by the EEOC were belied by the data.

#### Price Fixing Conspiracy

Edgeworth experts provided damages testimony in an antitrust litigation concerning the markets for ready-mix concrete.

#### Employment Discrimination

The Equal Employment Opportunity Commission alleged that Bloomberg L.P. engaged in a pattern or practice of unlawful employment practices, including discriminating against Claimants based on gender and pregnancy.

#### Individual Inquiry in Class Certification

Edgeworth Chief Executive Officer Dr. John H. Johnson submitted an expert report regarding the appropriateness of class-wide treatment on behalf of Reddy Ice in the Superior Court of Justice in Ontario, Canada.

#### NFL Lockout Analysis

On behalf of the NFL Players Association, Edgeworth Chief Executive Officer Dr. John H. Johnson and Partners analyzed the economic impact of a potential NFL lockout in 2011.

#### Multinational Price Fixing Litigation

Edgeworth Partner Matthew Milner and Principal Programmer Sheila Buenafe provided expert consulting services to a large multinational company facing a series of class action lawsuits.

#### Monopoly Power

Edgeworth Chief Executive Officer Dr. John H. Johnson was retained by Eaton Electrical, Inc. in antitrust litigation involving several independent service organizations that alleged the exercise of monopoly power in the aftermarket services on uninterruptible power supplies.

#### Shaping How Economics is Used in Antitrust Law

Edgeworth Chief Executive Officer Dr. John H. Johnson served as a consulting economist to Arkema Inc. on the appeal arguments made to the Third Circuit.

#### The Economics of D.C. Taxicab Rates

Edgeworth Chief Executive Officer Dr. John H. Johnson testified on behalf of the D.C. Professional Taxicab Drivers Association and the Dominion of Cabdrivers in front of the Washington, D.C. Taxicab Commission.

#### Monopoly Damages

Edgeworth Chief Executive Officer Dr. John H. Johnson and Partner Matthew Milner provided expert testimony related to damages and consulting services in Univac Dental Co. et al. v. Dentsply International, Inc.

#### Financial Loss Calculations

Edgeworth Chief Executive Officer Dr. John H. Johnson calculated damages owed to a handicapped Brazilian immigrant who had slipped on the steps of a Washington, D.C., courthouse because the building was not ADA compliant.

#### Wrongful Termination Dispute

Edgeworth Chief Executive Officer Dr. John H. Johnson provided expert testimony in a wrongful termination action that alleged Walmart had inappropriately dismissed an employee due to his disability status.

#### Individualized Damages from Racially Motivated Arson

Edgeworth Chief Executive Officer Dr. John H. Johnson provided individualized damages calculations for families who had lost their homes in a racially motivated fire.

#### Wage Determination Study

Edgeworth Chief Executive Officer Dr. John H. Johnson submitted testimony to the Department of Labor that demonstrated the wage determined by the agency for corrections officers in Oklahoma City, OK, greatly exceeded the prevailing wage in the area.

#### Understanding the Elder Justice Act

Edgeworth's economists worked with Appleseed's Life Long Justice team to assess the results of the surveys and identify the needs and priorities of APS programs.

## PUBLICATIONS

#### The Evolution of DOJ's Views on No-Poach Litigation

*ABA Antitrust Magazine*, 09.13.2022

#### Are Pandemic Sellers Actually Violating Price-Gouging Laws?

*Law360*, 04.03.2020

#### Turning Daubert on its Head: Efforts to Banish Hypothesis Testing in Antitrust Class Actions

*Antitrust Magazine*, 04.26.2016

#### Everydata: The Misinformation Hidden in the Little Data You Consume Each Day

*Bibliomotion*, 04.12.2016

#### 'Tis The Season ... For Data Breaches And Data Analytics

*Law360*, 11.25.2014

#### The Economic Underpinnings Of Comcast V. Behrend

*Law360*, 04.04.2013

Systemic Discrimination? Let the Statistics Talk.

*Law360*, 11.01.2011

Rigorous Analysis of Class Certification Comes of Age

*Antitrust Law Journal*, 09.01.2011

The Standards for Class-certification Expert Testimony After In re Hydrogen Peroxide Antitrust Litigation

*Antitrust Report*, 06.28.2011

The Increasing Relevance of Expert Testimony in the Wake of Hydrogen Peroxide

*The Antitrust Practitioner*, 06.28.2011

Empirical Evidence and Class Certification in Labor Market Antitrust Cases

*Antitrust Magazine*, 06.28.2011

Calculating Antitrust Damages

*Law Journal Press*, 06.01.2011

## **SPEAKING ENGAGEMENTS**

2023 Antitrust Spring Meeting

Marriott Marquis Washington, DC, 03.29.2023

Apples & Economics: Is Illinois Brick Obsolete? | ABA Antitrust Law Spring Meeting 2020

Virtual, 06.10.2020

Antitrust Economics Workshop | Fordham Competition Law Institute

Fordham Law School, 09.11.2019

Reverse Payment Settlements: Explaining “Large and Unexplained” | ABA Antitrust Spring Meeting 2018

04.11.2018

Dr. John Johnson Presents at TEDxBuffalo 2016

10.20.2016

Edgeworth Experts Present Mock Trial at Data Privacy Conference

03.05.2015

Dr. John Johnson to Speak on Data Breach Class Action Litigation Panel

01.15.2015

Webinar: The Importance of Data in Commercial Litigation

06.18.2014

Dr. John Johnson and Chuck Fields Present at Georgetown University  
10.15.2013

Dr. John Johnson Speaks at Wage & Hours Class Action Seminar  
05.31.2012

Edgeworth President John Johnson speaks at ABA Labor and Employment Conference  
04.08.2011

## NEWS

Edgeworth Economics Named as a Top Economic Consultancy by Global Competition Review  
03.15.2021

Meet the DC Data Analytics Firm Tracking Covid Cases in NFL Cities  
*Washington Business Journal*, 09.09.2020

Edgeworth Experts Recognized as Leading Competition Economists  
07.2020

Seven Edgeworth Partners Named as Leading Competition Economists in Who's Who Legal  
08.01.2019

Dr. John Johnson Interviewed by Full Measure News Program  
01.07.2019

Edgeworth Economics Appoints Dr. Jesse David to President; Dr. John Johnson to Continue in Role as CEO  
12.27.2018

Three Edgeworth Partners Named as Leading Competition Economists in Who's Who Legal  
05.31.2018

President & CEO Dr. John Johnson Releases Course on Data Analytics for Business Professionals  
03.01.2018

Edgeworth Experts Recognized as Leading Competition Economists  
06.13.2017

Edgeworth CEO Dr. John Johnson Named as Finalist in Entrepreneur Of The Year®  
04.26.2017

Dr. John Johnson Identifies 2017 Antitrust Trends  
04.07.2017

Edgeworth Publications Shortlisted for 2017 Concurrences Antitrust Writing Awards  
01.23.2017

Edgeworth CEO Dr. John Johnson Featured in the Washington Post  
09.26.2016

Dr. John Johnson Publishes Book on Data  
04.12.2016

Edgeworth Completes Airline Industry Study for Etihad Airways  
06.17.2015

Dr. John Johnson Discusses the Benefits of Pro Bono Work for A Billion + Change  
12.10.2013

Edgeworth Economics Selected as the Washingtonian's 50 Great Places to Work  
11.21.2013

Dr. John Johnson and Chuck Fields Will Present a Webinar on Economic Consulting  
10.03.2013

Edgeworth Economics Joins the A Billion + Change Campaign  
05.16.2013

Dr. John Johnson Discusses Evidentiary Standards and Expert Testimony  
05.10.2013

Edgeworth CEO Dr. John Johnson to Speak on Panel at ABA Equal Justice Conference  
05.07.2013

Dr. John Johnson to Speak at Jones Day Labor & Employment Discussion Group  
04.04.2013

DC CEO Receives Appleseed Pillars of Justice Award, Honoring Contributions to Nationwide Civil Justice Network  
10.16.2012

Edgeworth Experts File U.S. Supreme Court Amicus Brief In Comcast v. Behrend  
08.24.2012

Dr. John Johnson Discusses the Role of Economists in Antitrust Litigation  
07.16.2012

Dr. John Johnson Speaks at Wage & Hours Class Action Seminar  
05.31.2012

President and CEO Dr. John Johnson Nominated for GCR's Economist of the Year  
03.12.2012

Dr. John Johnson Featured in Washington Smart CEO  
03.01.2012

Edgeworth Discusses Statistical Techniques Useful in Discrimination Cases  
11.01.2011

The Wall Street Journal Cites Edgeworth Economics Study for NFL Players Association  
09.09.2011

Edgeworth Economics President Dr. John Johnson's Testimony Cited in Order Dismissing Bloomberg L.P. Pregnancy  
Discrimination Class Action  
08.18.2011

Washington Post References Edgeworth Study for NFL Players Association  
07.31.2011

Dr. John Johnson Appointed to Appleseed Board of Directors  
07.14.2011

Favorable Settlement in Canadian Packaged Ice Antitrust Lawsuit  
05.05.2011

Edgeworth Economics Analyzes Injuries for the NFL Players Association  
01.31.2011

Drs. Johnson and David Discuss Antitrust Class Certification in Labor Markets  
12.09.2010

Edgeworth Economics Estimates Impact of Potential NFL Lockout  
12.03.2010

Edgeworth Experts Opine on Class Certification in Antitrust Practitioner  
10.12.2010

Dr. John Johnson of Edgeworth Economics Appointed to ABA Section of Antitrust Law Journal  
06.28.2010

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