

## KRISTOF ZETENYI, PH.D.

### Vice President

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Dr. Zetenyi specializes in applying microeconomics, econometrics, and statistical methods to complex litigation and non-litigation matters in the areas of antitrust and competition, class certification, and policy evaluation. He has extensive experience across a variety of industries, including publishing, health care, air travel, agriculture, software, newspapers, and app distribution.

As an expert witness, Dr. Zetenyi has provided expert economic testimony analyzing data related to the removal, storage, and disposal of unhoused residents' personal property during the cleanups of unhoused residents' encampments pursuant to the Los Angeles Municipal Code 56.11. He has also studied the impacts of various local, state, and federal regulations, such as the efficacy of Australia's tobacco plain packaging legislation, the impact of minimum-pay rules and driver reclassification as employees on the platform business model in the ridesharing industry, and the impact of Corporate Average Fuel Economy (CAFE) standards on passenger vehicle design and trends in passenger vehicle upsizing in the US.

Dr. Zetenyi's antitrust research has been published in *The Antitrust Bulletin* and *Concurrences*, and he serves as vice-chair of the Economics Committee of the American Bar Association (ABA) Antitrust Law Section. He also led an Analysis Group team that was recognized by *Global Competition Review's* (GCR's) 2022 antitrust awards for its work on *Epic Games, Inc. v. Apple, Inc.*, which was awarded "Matter of the Year" and "Litigation of the Year – Non-cartel Defence."

### EDUCATION

- 2014 Ph.D., economics, University of Rochester
- 2011 M.A., economics, University of Rochester
- 2009 B.S., mathematics and economics (*summa cum laude*, *Phi Beta Kappa*),  
University of Richmond

### PROFESSIONAL EXPERIENCE

- 2014–Present **Analysis Group, Inc.**  
*Vice President (2021–Present)*  
*Manager (2016–2021)*  
*Associate/Economist (2014–2016)*
- 2011–2014 **University of Rochester**  
*Lecturer, Teaching Assistant*  
Courses taught: *Principles of Economics (undergraduate)*, *Industrial Organization (undergraduate)*, *Intermediate Microeconomics (undergraduate)*

2012–2013     **Simon School of Business, University of Rochester**  
*Teaching Assistant*  
*Courses taught: Economics, Marketing and Strategy Primer for Entrepreneurs (M.A.);*  
*Database Marketing (M.B.A.)*

#### **EXPERT WITNESS ENGAGEMENTS**

- ***Janet Garcia, et al. v. City of Los Angeles***  
Testified at deposition on behalf of the plaintiffs about the analysis of the removal, storage, and disposal of unhoused residents' personal property during their encampment cleanups pursuant to Los Angeles Municipal Code 56.11.

#### **SELECTED ANTITRUST AND COMPETITION CONSULTING EXPERIENCE**

- ***USA v. Penguin Random House, LLC, and Simon & Schuster, Inc.***  
Supported the defendants' testifying expert Edward A. Snyder through multiple expert report filings and trial testimony to opine on the potential competitive effects of the proposed acquisition of Simon & Schuster by Penguin Random House.
- ***Epic Games, Inc. v. Apple Inc.***  
Supported the defendant's testifying expert Richard Schmalensee through multiple expert report filings and trial testimony to opine on the economics of two-sided platforms, and their impact on the assessment of market definition, market power, and competitive effects.
- ***Antitrust class actions in the app marketplace industry***  
Supported the defendant's expert to analyze the economics of two-sided platforms and their importance to questions of antitrust market definition, market power, and competitive effects in the context of class certification.
- ***In re: Blue Cross Blue Shield Antitrust Litigation***  
Supported the provider plaintiff's expert to evaluate issues related to liability, including market definition, market power, and the assessment of harm to health care providers in Alabama.
- ***Confidential buyer market power matter***  
Supported an expert in assessing allegations of monopsony claims in the agricultural industry.
- ***In re: Transpacific Passenger Air Transportation Antitrust Litigation***  
Supported the defendants' expert to address issues related to class certification.
- ***US Department of Justice's (DOJ's) evaluation of John Deere's acquisition of Precision Planting***  
Supported the DOJ's expert to develop relevant antitrust market definition and assess competitive effects and implications of the proposed acquisition.
- ***Canadian Competition Bureau re: Postmedia's acquisition of Sun Media***  
Supported an expert from the Mergers and Monopolistic Practices Branch of Canada's Competition Bureau to assess Postmedia's proposed acquisition of Sun Media.
- ***In re: Optical Disk Drive Antitrust Litigation***  
Supported the joint defense group's damages expert in multidistrict price-fixing litigation to assess damages to a class of US direct and indirect purchasers.
- ***Mexican Competition Commission's investigation of slot allocation at Mexico City Airport***  
Performed analysis of the Mexican aviation industry, including analysis of prices for domestic air

travel in Mexico, for a white paper submitted to Mexico's competition authority, the Federal Economic Competition Commission (COFECE), in 2014.

- ***Antitrust class action in the software industry***  
Developed an affirmative damages analysis in a case involving allegations of the defendant overcharging consumers for its software product.

#### **OTHER SELECTED CONSULTING EXPERIENCE**

- ***Multiple cases involving allegations of driver misclassification by ridesharing companies***  
On behalf of a ridesharing company, supported an expert in the preparation of expert reports on the platform business model and potential impact of reclassification.
- ***Tri-City LLC, et al. (Lyft) v. New York City Taxi and Limousine Commission***  
Supported an expert in analyzing the effects of the driver minimum-pay rule on drivers and passengers.
- ***Evaluation of Australia's Tobacco Plain Packaging Act before the World Trade Organization***  
Supported the Commonwealth of Australia's expert to analyze the effect of Australia's Tobacco Plain Packaging Act on smoking prevalence.
- ***Odyssey Wireless v. Motorola Mobility LLC, et al.***  
Supported the defendants' expert to assess customers' willingness to pay for certain cellular features pertaining to patent infringement allegations.
- ***Ageas shareholder litigation before the Tribunal de Commerce de Bruxelles***  
Supported an expert in the assessment of the reasonableness of settlement terms in a securities class action involving a Belgian financial company.
- ***Class action litigation matters regarding front-loading washing machines***  
Supported an expert for the plaintiffs in class action litigation matters against several manufacturers of front-loading washing machines to estimate damages due to alleged product defects.

#### **PUBLICATIONS**

*Geographic Market Definition in Commercial Health Insurer Matters: A Unified Approach for Merger Review, Monopolization Claims, and Monopsonization Claims*, with Deborah Haas-Wilson and Brian Gorin, forthcoming in *The Antitrust Bulletin*, Volume 68, Issue 3, September 2023

*Efficiencies in the Second-score Auction Model*, with Big Banterghansa and Maria Eugenia Garibotti, *Concurrences* N° 2-2023, Art. N° 112602, May 2023

*Vehicle Upsizing Under the New CAFE Standard? An Application of Endogenous Characteristics Choice with Fixed Costs*, working paper, 2014

## **PRESENTATIONS & SPEAKING ENGAGEMENTS**

Guest Lecture on the Role of Industrial Organization in Antitrust Enforcement, University of Southern California (November 15, 2022)

Guest Lecture on Topics in Antitrust and Competition, University of Southern California (April 26, 2022)

“Class Action Litigation: Demystifying Trends, Developments, and Best Defense Strategies,” webinar panelist, The Knowledge Group (February 9, 2022)

“How to Effectively Use Statistical Sampling in Class Action Litigation: Tips and Strategies in 2019,” webinar panelist, The Knowledge Group (December 13, 2018)

## **PROFESSIONAL AFFILIATIONS**

American Bar Association (ABA)

*Vice-Chair of the ABA Antitrust Law Section, Economics Committee for the 2023–2024 ABA year*

*Young Economist Representative of the ABA Antitrust Law Section, Programs and Teleseminars for the 2022–2023 ABA year*

*Young Economist Representative of the ABA Antitrust Law Section, Advisory Board of Section Reserves for the 2021–2022 ABA year*

American Economic Association

*Member*

## **AWARDS AND FELLOWSHIPS**

2009–2014 Graduate Fellowship, University of Rochester

2009 Robert L. Taylor Award for Excellence in Economics, for achieving the highest GPA among graduating economics majors, University of Richmond

2005–2009 Richmond Scholar, University of Richmond

## **LANGUAGES**

English (fluent), Hungarian (native), Romanian (proficient), Spanish (beginner)