



## Emily J. Kelly, MBA

### Director

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**Emily J. Kelly** has over 10 years of experience supporting damages experts, construction experts, financial and forensic accounting experts, and providing consulting services in commercial disputes, and economic damages.

Her litigation consulting expertise includes quantification of damages, evaluation of lost profits and disgorgement damages, economic-related analysis, incremental profitability analysis, and lost earnings analysis on a broad variety of construction, delay, commercial-related, and IP disputes. She has been retained as an expert on multiple matters ending in favorable settlements.



## Selected Project Experience

- ▶ Quantified lost profits for a physician's practice in a negligent misrepresentation for a commercial real-estate dispute.
- ▶ Assisted in quantum analysis and assisted in writing expert report for claims of negligence/property damages matter during the construction of a hospital costing almost \$100 million.
- ▶ Assisted in the rebuttal of multiple expert witnesses in a construction dispute involving one of the largest Propane Dehydrogenation (PDH) projects.
- ▶ Assisted with delay and quantum analysis of project claims including critical path delays, labor productivity, differing site conditions, force majeure, excessive change orders, and subcontractor pass through claims for Naval Facilities Engineering Systems Command.
- ▶ Assisted in damages quantification for patent infringement matters relating to several smartphone technologies, televisions and monitor displays, snowmobiles, multiple medical devices, wireless data communication, software technology, mobile phones with cameras and backlit keyboards, mobile banking and security features, automotive interior zippers, pharmacy dispensing units, equipment for aircrafts, semiconductor storage chips, credit card terminals, telecommunications acceleration and compression of data, CBD products and vehicle engine parts.
- ▶ Assisted in providing damages analysis and research in breach of contract and/or trade secret matters relating to software programs, cooking products, medical devices, insurance claims, and court reporting school.
- ▶ Assisted in the evaluation of claimed lost profits regarding the damages suffered pursuant to alleged violations of the Lanham Act, trade defamation, and unfair competition arising out of alleged unlawful acts in the construction industry and Direct Physician Care market.
- ▶ Provided data analysis and surveying assistance in class action matters relating to false advertising of LCD-lit televisions, all-natural beverages, tablets for children, premium pet food, homeopathic cough syrup, expected vehicle MPG, car battery core fees, and age-correcting makeup.
- ▶ Developed the lost profits damages quantification in trademark infringement matters relating to herbal tonics and former NFL athletes' business mark dispute.
- ▶ Assisted in the investigation of an insurance company regarding billing fraud and kickbacks by a series of toxicology laboratories by directing the analysis of dozens of series LLC offerings and millions of investment transactions.

## EDUCATION

- **Western Governors University**  
MBA, 2021
- **Utah State University**  
B.A., Economics/French, 2009

## AFFILIATIONS

- National Association of Women in Construction – Dallas Chapter Member
- Licensing Executives Society
- Women's White Collar Defense Association Chapter Member

## LANGUAGES

- English, French