

Emily J. Kelly, MBA

Director

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Emily Kelly has more than a decade of experience analyzing economic damages and supporting expert testimony in complex construction, commercial and intellectual property disputes. She has prepared multiple expert reports for matters in US federal and state courts and has provided expert testimony in multiple jurisdictions.

Emily's construction work spans transportation, energy, manufacturing, fabrication and large commercial building projects. She evaluates costs, damages and other quantum issues involving bridge and interstate construction, international infrastructure projects, wind and propane dehydrogenation facilities and multimillion-dollar developments.

Emily also quantifies damages in commercial and intellectual property disputes, including lost profits, disgorgement, lost earnings and reasonable royalties. Her work includes economic analysis, incremental profitability assessments and other detailed financial analyses used to evaluate claimed losses.

Selected Project Experience

- ▶ Quantified extra work claims, delay and acceleration claims, disruption claims, and evaluated the elements of false claims in multiple +\$200 million city public works 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.
- ▶ Evaluated and verified costs for a variation substantiation proposal order in and offshore windmill farm project.
- ▶ Calculated damages due to delay including the direct costs of remediation, plus related indirect costs for supervision and support and financing costs from the delayed sale and settlement of condominium units in a luxury Highrise.
- ▶ 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.
- ▶ Collaborated in the damages rebuttal of multiple expert witnesses in a construction dispute involving one of the largest Propane Dehydrogenation (PDH) projects.
- ▶ Verified current costs to complete, remediation of corrective work, time-related, and third-party damages in termination for cause and supplementation disputes.
- ▶ 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.
- ▶ 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.



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