

**Ashley J. Bailey, CPA**

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Ms. Bailey is a director and forensic consultant at Hampton IP & Economic Consulting, LLC. Ms. Bailey has provided consultation and analysis on more than 50 commercial litigation cases since joining Hampton IP in 2015.

Ms. Bailey is a licensed Certified Public Accountant in Utah. She graduated from the University of Utah, David Eccles School of Business, with a Master of Accounting and an emphasis in Financial Audit. Prior to attending the University of Utah, Ms. Bailey graduated from Utah State University, Jon M. Huntsman School of Business, with a Bachelor of Science degree in Accounting and a Minor in Economics.

Prior to joining Hampton IP, Ms. Bailey completed an audit internship with KPMG where she performed test work over client financial statements, prepared financial statement reports and work papers, reviewed client account procedures, and performed analytical review of audit documents. Prior to her time at KPMG, Ms. Bailey worked for a medical device company, Catheter Connections, as an accountant where she worked closely with the founder, and the CFO, to manage intellectual property, calculate bond interest, and manage accounts payable and accounts receivable.

## **INTELLECTUAL PROPERTY LITIGATION**

Ms. Bailey has written and edited numerous Rule 26 reports, calculated lost profit, accounted for ill-gotten gain, and established a reasonable royalty on intellectual property matters involving patent, copyright, trademark, and trade dress infringement; breach of contract; unfair competition; tortious interference; and misappropriation of trade secrets.

Ms. Bailey has experience in a broad range of industries such as advertising, beauty and cosmetics, biological testing, consumer goods, construction, electronics, entertainment, fashion, manufacturing, medical instruments, multi-level-marketing, oil and gas, telecommunications, and wholesale distribution, among others. Ms. Bailey has worked with distinguished law firms across the U.S. including Latham & Watkins, Baker & McKenzie, McGuireWoods, Reed Smith, Troutman Pepper, and many other leading firms.

## SELECTED CASE PORTFOLIO

| PARTIES   | CASE NO.      | COURT                            | RETAINED BY        | NATURE   | INDUSTRY         |
|---|---------------|----------------------------------|--------------------|--|------------------|
| <b>Adobe Inc.</b> v. NA Tech Direct Inc. f/k/a TigerDirect, Inc. and Tiger Direct, Inc., et al. | 4:17-cv-05226 | US Dist. N.D. of CA Oakland Div. | Johnson & Pham     | Copyright Infringement, Trademark Infringement, False Designation of Origin/False Advertising/Unfair Competition, Trademark Dilution | Software         |
| <b>MiCs &amp; Partners, America, Inc., et al.</b> v. Toshiba Corporation, et al.                | 1:14-cv-00803 | U.S. Dist. D. of DE              | Panitch Schwarze   | Patent Infringement  | Electronics      |
| <b>MiCs &amp; Partners, America, Inc., et al. v. Funai Electric Co., Ltd, et al.</b>            | 1:14-cv-00804 | U.S. Dist. D. of DE              | Panitch Schwarze   | Patent Infringement  | Electronics      |
| <b>Enventure Global Technology, Inc. v. Mohawk Energy, Ltd., et al.</b>                         | 4:15-cv-01053 | U.S. Dist. S.D. of TX            | Baker & McKenzie   | Patent Infringement  | Oil and Gas      |
| <b>Yellow Pages Photos, Inc. v. YP, LLC dba "The Real Yellow Pages", et al.</b>                 | 8:17-cv-00764 | U.S. Dist. M.D. of FL Tampa Div. | Latham and Watkins | Copyright Infringement   | Advertising      |
| <b>Mathey Dearman, Inc. v. H&amp;M Pipe Beveling Machine Co., et al.</b>                        | 4:18-cv-00250 | U.S. Dist. N.D. of OK            | McGuire Woods      | Trade Secret Misappropriation, Violation of the Computer Fraud and Abuse Act, Breach of Fiduciary Duty                               | Oil and Gas      |
| <b>Extreme Reach, Inc. v. Priority Workforce, Inc., et al.</b>                                  | 2:17-cv-06796 | U.S. Dist. C.D. of CA            | Reed Smith         | Trade Secret Misappropriation, Breach of Contract, Unjust Enrichment, Unfair Competition   | Payroll Software |
| <b>Sugarfina, Inc. v. Sweet Pete's, LLC, et al.</b>   | 2:17-cv-04456 | U.S. Dist. C.D. of CA            | Troutman Pepper    | Trade Dress Infringement, Trademark Infringement, Unfair Business Practices, Copyright Infringement, Civil Conspiracy                | Gourmet Candy    |

## PROFESSIONAL BACKGROUND

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|                                |                                       |                |
|--------------------------------|---------------------------------------|----------------|
| Hampton IP                     | Forensic Accountant/Senior Consultant | 2015 - Present |
| KPMG                           | Audit Intern                          | 2015           |
| Catheter Connections           | Accountant                            | 2014           |
| Ashley's Housekeeping Services | Owner                                 | 2013-2014      |
| Henry Walker Homes             | Accounting Intern                     | 2013           |
| Bangerter, Lund & Associates   | Accounting Intern                     | 2012           |

## EDUCATIONAL BACKGROUND

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|  |               |
|--|---------------|
| University of Utah – David Eccles School of Business       | May 2016      |
| Master of Accounting, emphasis in Financial Audit          |               |
| Utah State University – Jon M. Huntsman School of Business | December 2014 |
| Bachelor of Science in Accounting, Minor in Economics      |               |

## PUBLICATIONS

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"Federal Circuit Issued Decisions Regarding Patent Apportionment in the Exmark and Finjan Cases." July 23, 2019.

"Supreme Court to Consider Willfulness in Trademark Damage Awards." July 23, 2019.

"Supreme Court Resolved Circuit Split of When a Copyright Owner May Commence an Infringement Lawsuit." July 23, 2019.

"Remedies under the Defend Trade Secrets Act of 2016." August 30, 2016.

## PROFESSIONAL AFFILIATIONS

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Former member of the Utah Association of Certified Public Accountants

Former member of the Association of Certified Fraud Examiners

Former member of the Institute of Management Accountants

Former member of the Financial Planning Association

Former treasurer for the Women in Business Association, Utah State University

## CASE PORTFOLIO

| DATE    | PARTIES  | CASE NO.          | COURT                                    | RETAINED BY                         | NATURE  | INDUSTRY                     |
|---------|--|-------------------|--|-------------------------------------|---|------------------------------|
| 1/2021  | Milo Enterprises, Inc. v. <b>Bird-X, Inc.</b>  | 1:18-cv-06315     | U.S. Dist. N.D. of IL E. Dist.           | Davis Wright Tremaine               | Trademark Infringement, Trade Dress Infringement, Tortious Interference, Defamation                                       | Bird Scaring                 |
| 12/2020 | <b>Treehouse Avatar LLC</b> v. Valve Corporation   | 2:17-cv-01860     | U.S. Dist. D. of DE                      | Lowe Graham Jones                   | Patent Infringement   | Gaming                       |
| 10/2020 | Ultra-Lit Tree Company v. <b>Simple Living Solutions, LLC</b>  | 2:19-cv-05340     | U.S. Dist. Dist. of AZ                   | Kercsmar & Feltus                   | Patent Infringement   | Consumer Electrical Products |
| 9/2020  | <b>Jaymo's Sauces, LLC</b> v. The Wendy's Company  | 1:19-cv-01026     | U.S. Dist. C.D. of IL                    | Segal McCambri dge Singer & Mahoney | Trademark Infringement, Injury to Business Reputation, Dilution, Fraud and Deceptive Trade Practices                      | Restaurant                   |
| 9/2020  | IMG Worldwide, LLC, et al. v. <b>Fashion Week, Inc. and Trisha Paravas</b>   | 1:19-cv-11225     | U.S. Dist. S.D. of NY                    | Law Office of Erica Doran           | Unfair Competition, Trademark Infringement, Dilution  | Fashion                      |
| 7/2020  | New NGC, Inc. d/b/a National Gypsum Company, et al. v. <b>Alpinebay, Inc.</b>  | 1:19-cv-03978     | U.S. Dist. N.D. of IL E. Div.            | Lexero Law                          | Trademark Infringement, Unfair Competition  | Construction Materials       |
| 12/2019 | Prolacta Bioscience, Inc. v. <b>Elena Taggart Medo, et al.</b>   | 30-2015-007671 16 | CA Super.                                | Rutan & Tucker                      | Interference with Prospective Economic Advantage, Unfair Competition, Breach of Contract, Trade Secret Misappropriation   | Neonatal Milk                |
| 11/2019 | <b>Medytox Inc.</b> and Allergan PLC Negotiation   | N/A               | N/A                                      | Medytox Inc., Korea                 | Breach of Contract, Trade Secret  | Beauty and Cosmetics         |
| 11/2019 | <b>Sanho Corporation</b> v. Kaijet Technology International Limited, Inc., et al.  | 1:18-cv-05385     | U.S. Dist. N.D. of GA Atlanta Div.       | Ari Law                             | Design Patent Infringement, Trademark Infringement, Unfair Competition, Copyright Infringement, Deceptive Trade Practices | Electronics                  |
| 10/2019 | LegalForce RAPC Worldwide, P.C. v. <b>TTC Business Solutions, LLC, et al.</b>  | 3:17-cv-07318     | U.S. Dist. N.D. of CA San Francisco Div. | Friedenthal Heffeman & Brown        | False Advertising, Unfair Competition   | Legal Services               |
| 10/2019 | <b>Covves, LLC</b> v. Dillard's, Inc.; Kohl's Corporation; Saks & Company LLC; Target Brands, Inc.; Express Inc.; Tilly's Inc.; Nordstrom, Inc.; West Marine, Inc.; Zulily, Inc. | 2:18-cv-08518     | U.S. Dist. C.D. of CA                    | The McArthur Law Firm               | Design Patent Infringement  | Consumer Products            |

| DATE    | PARTIES  | CASE NO.        | COURT                            | RETAINED BY             | NATURE  | INDUSTRY                                 |
|---------|--|-----------------|----------------------------------|-------------------------|---|--|
| 8/2019  | Fortress Secure Solutions, LLC v. <b>AlarmSIM, LLC, et al.</b>                             | 4:17-cv-05058   | U.S. Dist. E.D. of WA            | Lexero Law              | False Designation of Origin, Unfair Competition, False Advertising, Defamation, Tortious Interference, Unjust Enrichment, Breach of Agreement | Security Systems                         |
| 4/2019  | The Scott Fetzer Company v. <b>John Henry III and Green Steam Technologies, Inc.</b>       | 17 884832       | CT of Common Pleas CC, Ohio      | Stark & Knoll           | Breach of Contract, Tortious Interference with Contract, Civil Conspiracy, Unfair Competition   | Consumer Products                        |
| 3/2019  | <b>Natural Polymer International Corporation, et al.</b> v. Jie Zhu, et al.                | 199-01725-2018  | Dist. Court of Collin County, TX | Hanshaw Kennedy Hafen   | Breach of Contract, Misappropriation of Trade Secrets   | Pet Treats                               |
| 3/2019  | WorldVentures Holdings, LLC, et al. v. <b>ARIIX, LLC, et al.</b>                           | 4:15-cv-00393   | E.D. of TX Sherman Div.          | Hallett Perrin          | Unfair Competition, Violation of Lanham Act, Defend Trade Secrets Act, Breach of Contract   | Multi-Level-Marketing/Lifestyle Products |
| 2/2019  | <b>HRH, LLC</b> v. Teton County, Wyoming, et al.   | 2:18-cv-00104   | U.S. Dist. of WY                 | Smith LC                | Protectable Property Interest, Tortious Interference with Contract  | Real Estate                              |
| 10/2018 | Flying Nurses International LLC v. <b>Flyingnurse.com, et al.</b>                          | 1:17-cv-00168   | U.S. Dist. E.D. of VA            | Dale Jensen, PLC        | Violation of the Federal Anti-cybersquatting Consumer Protection Act  | Healthcare                               |
| 8/2018  | Yellow Pages Photos Inc. v. <b>Tata Consultancy Services Limited, Inc.</b>                 | 8:17-cv-00388   | U.S. Dist. M.D. of FL Tampa Div. | Latham and Watkins      | Copyright Infringement  | Advertising                              |
| 7/2018  | <b>Primus Group, Inc.</b> v. Institute for Environmental Health, Inc.                      | 3:18-cv-00005   | U.S. Dist. N.D. of CA            | Allen Law Firm          | Patent Infringement   | Food Testing                             |
| 7/2018  | <b>Rillito River Solar LLC dba EcoFasten Solar</b> v. Bamboo Industries LLC dba SolarHooks | 2:17-cv-00181   | U.S. Dist. E.D. of CA            | Kercsmar & Feltus PLLC  | Patent Infringement   | Solar Panels                             |
| 7/2018  | Flexstake, Inc. v. <b>DBI Services, LLC</b>  | 1:17-cv-20858   | U.S. Dist. S.D. FL Miami D.      | Pennington Law          | Deceptive and Unfair Trade Practices, Common Law Unfair Competition, Lanham Act Violation   | Road Construction Equipment              |
| 5/2018  | <b>Master Strategies, LLC</b> v. RJ Worldwide, LLC   | 2:15-cv-00630   | JAMS Arbitration                 | Heideman and Associates | Trademark Infringement, Breach of Contract  | Multi-Level-Marketing/Health Supplement  |
| 5/2018  | <b>Mike Srieddine</b> v. Big Bang Vape Co., et al.   | 2:17-cv-00989   | U.S. Dist. C.D. of CA            | The McArthur Law Firm   | Trademark Infringement, Unfair Competition, Opposition to Trademark Registration  | E-cigarette                              |
| 9/2017  | <b>Let's Go Aero, Inc.</b> v. Cequent Performance Products, Inc.                           | 01-16-0003-8120 | American Arbitration Association | Silver & Deboskey       | Patent Infringement, Misappropriation of Trade Secrets, Trademark Infringement, Copyright Infringement  | Sporting Goods                           |
| 8/2017  | <b>Interra International, LLC</b> v. Mohammed Al Khafaji and Intervision, LLC              | 1:16-cv-01523   | U.S. Dist. N.D. of GA            | McGuire Woods           | Trademark Infringement, Breach of Contract, Fraud   | Food and Beverages                       |

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|---------|--|----------------|------------------------------------|------------------------------|--|-------------------------|
| 6/2017  | <b>Seiko Epson Corporation and Epson America, Inc.</b> v. InkSystem LLC, et al.                        | 3:16-cv-00524  | U.S. Dist. D. of NV                | J. Andrew Coombs             | Trademark Infringement, False Advertising  | Computer Peripherals    |
| 6/2017  | <b>Jukin Media, Inc.</b> v. QWorldstar, Inc. et al.  | 2:17-cv-06800  | U.S. Dist. C.D. of CA              | Venable                      | Copyright Infringement, Trademark Infringement   | Entertainment           |
| 3/2017  | <b>Yamen Eltawil</b> v. Kiransinh Balwantsinh Thakor, et al.   | CGC-16-552571  | CA Super.                          | Ari Law                      | Breach of Contract   | Restaurant              |
| 11/2016 | <b>Sisters of Charity of Leavenworth Health System, Inc.</b> v. Blue Cross and Blue Shield Association | 1:15-cv-001895 | U.S. Dist. D. of CO                | Collen IP                    | Trademark Infringement   | Health Care             |
| 10/2016 | <b>Enventure Global Technology, Inc.</b> v. Mohawk Energy, Ltd., et al.                                | 4:15-cv-01053  | U.S. Dist. S.D. of TX              | Baker & McKenzie             | Patent Infringement  | Oil and Gas             |
| 9/2016  | Luxtifica Group S.p.A., et al. v. <b>EZ Pawn Florida, Inc. d/b/a Value Pawn &amp; Jewelry</b>          | 6:16-cv-00729  | U.S. Dist. M.D. of FL              | Holland & Knight             | Trademark Infringement, Counterfeiting   | Pawn Shops              |
| 8/2016  | <b>Arthrex, Inc.</b> v. West Coast Medical Resources, LLC and 2 Gemini, LLC                            | 8:15-cv-00910  | U.S. Dist. M.D. of FL              | Carlson Gaskey & Olds        | Patent Infringement, Trademark Infringement, False Advertising                           | Medical Devices         |
| 7/2016  | <b>Crestwood Membranes, Inc. d/b/a i2M</b> v. Constant Services, Inc.                                  | 3:15-cv-00537  | U.S. Dist. M.D. of PA              | Potomac Law Group            | Copyright Infringement, Breach of Contract, Breach of Warranty                           | Substrate Manufacturing |
| 7/2016  | <b>Universal Instruments Corporation</b> v. Micro System Engineering, Inc., et al.                     | 3:13-cv-00831  | U.S. Dist. N.D. of NY              | Schmeiser, Olsen & Watts     | Breach of Confidentiality, Trade Secret Misappropriation, Unfair Competition, Injunction | Automation Equipment    |
| 6/2016  | <b>3rd Eye Surveillance, LLC</b> v. The City of Fort Worth, Texas, and e-Watch Corporation             | 6:14-cv-00725  | U.S. Dist. E.D. of TX              | Kennedy Law                  | Patent Infringement  | Security Systems        |
| 5/2016  | <b>David Winters</b> v. PACCAR, Inc.   | 4:15-cv-00749  | U.S. Dist. W.D. of MO              | Doug Carter                  | Trademark Infringement   | Trucking                |
| 4/2016  | Petrageous Designs, Limited v. <b>Olivet International, Inc.</b>                                       | 1:14-cv-13582  | U.S. Dist. D. of MA                | Goodman Mooney               | Trademark Infringement   | Pet Care                |
| 4/2016  | DigiDeal Corporation v. <b>Shuffle Tech International, et al.</b>                                      | 2:14-cv-00277  | U.S. Dist. E.D. of WA              | Cohen Johnson Parker Edwards | Breach of Contract   | Gaming                  |
| 2/2016  | <b>Beaulieu Group, LLC</b> v. Mohawk Carpet Distribution, Inc.   | 4:15-cv-00184  | U.S. Dist. N.D. of GA              | McGuire Woods                | Trademark Infringement   | Carpet and Flooring     |
| 1/2016  | Virtual Studios, Inc. v. <b>Stanton Carpet Corp.</b>   | 4:15-cv-00070  | U.S. Dist. N.D. of GA Rome Div.    | McGuire Woods                | Copyright Infringement   | Digital Media           |
| 12/2015 | <b>NutriBullet, LLC, et al.</b> v. SharkNinja Operating, LLC   | 2:14-cv-03954  | U.S. Dist. C.D. of CA Western Div. | Trojan Law Offices           | False Advertising, Trade Libel   | Consumer Products       |

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|---------|--|----------------|-----------------------------|------------------------------------|---|----------------------|
| 10/2015 | The KatiRoll Company, Inc. v. <b>Kati Junction, Inc., et al.</b>                   | 1:14-cv-01750  | U.S. Dist. S.D. of NY       | Feldman Law Group                  | Trade Secret Misappropriation, Trademark Infringement, Trade Dress Infringement | Restaurant           |
| 9/2015  | <b>Universal Instruments Corporation</b> v. Micro System Engineering, Inc., et al. | 3:13-cv-00831  | U.S. Dist. N.D. of NY       | Schmeiser, Olsen & Watts           | Breach of Contract, Trade Secret Misappropriation, Copyright Infringement       | Automation Equipment |
| 8/2015  | Stratasys Inc. v. <b>Microboards Technology, LLC d/b/a Afinia</b>                  | 1:13-cv-03228  | U.S. Dist. D. of MN         | Cantor Colburn                     | Patent Infringement   | Computer Hardware    |
| 7/2015  | Won-Door Corporation v. <b>Cornell Iron Works, Inc., et al.</b>                    | 2:15-cv-00499  | U.S. Dist. D. of UT         | Clayton Howarth & Cannon           | Patent Infringement   | Manufacturing        |
| 6/2015  | <b>Western Timber Frame, Inc.</b> v. Wright Timberframe, LLC                       | 2:14-cv-00741  | U.S. Dist. UT, Central Div. | Pia Anderson Dorius Reynard & Moss | Trademark Infringement, Trade Dress Infringement, Copyright Infringement        | Construction         |
| 6/2015  | Elohim EPF USA, Inc., et al. v. <b>Total Music Connection, Inc., et al.</b>        | 2:14-cv-02496  | U.S. Dist. C.D. of CA       | Lowe & Baik                        | Copyright Infringement  | Entertainment        |
| 3/2015  | OTR Wheel Engineering, Inc. et al. v. <b>West Worldwide Services, Inc., et al.</b> | 2:14-cv-00085  | U.S. Dist. E.D. of WA       | McKee Voorhees                     | Trademark Infringement, Trade Secret Misappropriation, Preliminary Injunction   | Wholesale            |
| 1/2015  | Karl Heinz Priewasser v. <b>Lintec Corporation, et al.</b>                         | 2:13-cv-001109 | U.S. Dist. D. of AZ         | Knobbe Martens                     | Trade Secret Misappropriation   | Computer Hardware    |