

# the FORECAST

A Newsletter of the National Association of Forensic Economics



Rotating Columns: pg 11  
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NAFE Events: pg 12-16

Pictures from the Southern Meeting and the ASSA throughout this issue

## President's Letter

Mike Nieswiadomy, President, NAFE  
[michael.nieswiadomy@unt.edu](mailto:michael.nieswiadomy@unt.edu)

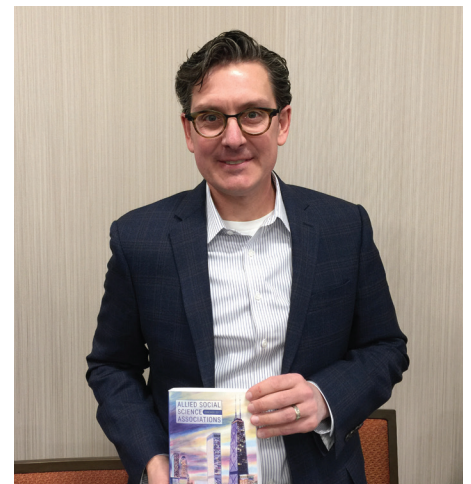
I am honored to serve as your president for 2017 & 2018. I would like to briefly mention our accomplishments and our objectives for this year. I want to thank Larry Spizman for his service as President and Craig Allen and David Macpherson for their service as Vice Presidents. I want to thank Lane Hudgins for a fantastically successful refreshing of this newsletter, *The Forecast*, and to commend her for winning the Past President's Service Award. I want to thank Marc Weinstein, Kurt Krueger, and Nancy Eldredge and the board for keeping NAFE running efficiently. I want to welcome our new board members, David Tucek and Chris Young.

NAFE finished another productive year with great conferences. The January 2017 ASSA conference in Chicago had an excellent turnout. We are proud that Kevin Cahill's art work was selected for the cover of the 2017 ASSA Program (see photo) which was handed out to thousands of attendees! We have a strong membership base and are working on expanding it. Our finances are sound. There were interesting articles published in the

*Journal of Forensic Economics (JFE)*. I want to thank Steve Shapiro, Jim Ciecka & Kurt Krueger for successfully placing the *JFE* in RePEc (**R**esearch **P**apers in **E**conomics; [www.repec.org](http://www.repec.org)), a database of research in Economics. This will help the research in the *JFE* to be widely disseminated. The board will consider some reorganization of the *JFE* Board of Editors and consider delineating the roles for our at-large Vice Presidents.

Remember if you want to participate in the 2017 Survey of NAFE Membership but haven't yet, the web link provided in emails to you will remain active through February 10, 2017. We hope that everyone will take the time to share their opinions and expertise in this effort. The NAFE board is keeping a close eye on the proposed *Fair Calculations in Civil Damages Act of 2016*. Look for a panel session on this in upcoming conferences. We have many interesting conferences (in New York, San Diego, Kansas City and Tampa, Cancun & Milan; see inside for details) in the coming year. I am certain that you will find the conferences intellectually stimulating

and enjoy the camaraderie of fellow NAFE members. If you have any ideas that you would like the NAFE Board to consider please email me at [michael.nieswiadomy@unt.edu](mailto:michael.nieswiadomy@unt.edu). Join us on Facebook and LinkedIn and follow us on Twitter. Happy New Year!



Photos from the ASSA Meeting, Chicago:  
1) Steven Shapiro & Larry Spizman 2) NAFE Board of Directors Meeting 3) Kevin Cahill (right)

National Association of  
Forensic Economics, Inc.

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College of the Holy Cross

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Nancy L. Eldredge

Please send comments, suggestions, and news items for *The Forecast* to the Production Editor, Nancy Eldredge, at the addresses at the right. Submissions from NAFE members are encouraged, and submissions guidelines are available online at <http://nafe.net/TheForecast>, or by contacting the editor, Lane Hudgins, at [lane@lh-analysis.com](mailto:lane@lh-analysis.com).



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# From the Executive Director

Marc Weinstein, Executive Director, NAFE

Included in this newsletter are minutes from the July 2016 Summer Board of Director's Meeting and information from NAFE's financial statements for the periods ending November 2016 and 2015 as prepared by accountancy firm The Block Teitelman Group. Exhibits for the Board of Director's Meeting Minutes are available at the NAFE website: [www.nafe.net](http://www.nafe.net). Draft minutes for the NAFE Membership Meeting held January 2017 will be available for review in the next issue of *The Forecast*.

## Minutes of the Summer Board of Director's Meeting July 23-24, 2016

### In attendance:

#### Voting Members:

Craig Allen, Eastern VP

Scott Gilbert, At-Large VP

David Macpherson, At-Large VP

Gilbert Mathis, Southern VP

David Rosenbaum, Mid-West VP

Lawrence Spizman, President

#### Non-Voting Members:

James Ciecka, Co-Editor of the JFE  
(arrived @ 2:15 PM 7/23/16)

Lane Hudgins, Editor of *The Forecast*

Mike Nieswiadomy, President Elect

Steven Shapiro, Co-Editor of the JFE

Marc Weinstein, Executive Director

### Not in attendance:

#### Voting Members:

William Brandt, Western VP

1. Lawrence Spizman called the meeting to order at 9:00 AM. Larry thanked everyone for traveling to Chicago and noted he was excited for a productive and fun weekend.

2. Marc Weinstein outlined the schedule for the weekend for the Board of Directors ("BOD"). A copy of the BOD schedule is attached as Exhibit A to these minutes.

3. Marc Weinstein presented the meeting minutes from the BOD meeting in San Francisco, CA on January 3, 2016. A few grammatical corrections were recommended and the minutes were adjusted.

A. It was moved and seconded (MacPherson, Rosenbaum) that the Board approves the minutes of the Board of Directors' meeting of January 3, 2016 (Vote: 6 Yes – 0 No – 0 Abstain). These minutes are attached as Exhibit B to these minutes.

4. Marc Weinstein presented the meeting minutes from an online meeting held on April 7, 2016.

B. It was moved and seconded (MacPherson, Rosenbaum) that the Board approves the minutes of the Board of Directors' electronic meeting of April 7, 2016 (Vote: 6 Yes – 0 No – 0 Abstain). These minutes are attached as Exhibit C to these minutes.

5. Marc Weinstein presented the Executive Director reports which included the Financial Statements for the six months ended May, 31, 2016 and 2015 completed by the Block Teitelman Group, a Membership Report, and current bank statements.

C. It was moved and seconded (MacPherson, Rosenbaum) that the Board accepts the financial statements ending May 31, 2016 and the membership report, as presented. (Vote: 6 Yes – 0 No – 0 Abstain). These reports are attached collectively as Exhibit D to these minutes.

6. Scott Gilbert presented the schedule for the NAFE sessions at the ASSA in Chicago, IL on January 6 and 7, 2017. As has been a tradition at the ASSA, NAFE will hold four total sessions, one on Friday January 6 and three on Saturday January 7, 2017. The BOD meeting will be held Friday January 6 starting at approximately 11:00 AM followed by one session at 2:30 PM. Following the 2:30 PM session, NAFE will hold their annual Membership Meeting followed by a reception. The three sessions on Saturday January 7, 2017 will be at 8:00 AM, 10:15 AM, and 2:30 PM.

7. David Rosenblum indicated that NAFE will not be sponsoring any sessions at the Missouri Valley Economic Association ("MVEA") from October 27 - 29, 2016 in St. Louis, MO. NAFE will however continue to sponsor the MVEA's cocktail reception.

8. Gil Mathis announced that NAFE will sponsor two sessions at the Southern Economic Association ("SEA") meetings in Washington, DC on Saturday November 19, 2016. The first session will have four papers and the second will be a panel session. The conference will be held at the J.W. Marriott located at 1331 Pennsylvania Avenue NW in Washington, DC.

9. Craig Allen noted that a new Eastern VP will take the leadership at the end of this year but he will work closely with the individual to sponsor sessions on Friday and Saturday February 24 and 25, 2017 at the Sheraton New York Times Square Hotel in New York City. Craig is working on obtaining a special guest speaker and he plans to follow the traditional model and hold one session on Friday afternoon February 24, 2017 followed by a reception. There will be three additional sessions on Saturday February 25, 2017.

cont. on page 4...

## Welcome New Members!

The following is a list of new NAFE members for the period October 1, 2016 through December 31, 2016.

Blake James Briles, Provo, UT, US

Patrick Chylinski, Los Angeles, CA, US

Michael Daniels, Columbus, GA, US

Frank McGuire, Kensington, MD, US

Mark Rambin, Dallas, TX, US

Joe Turek, Lynchburg, VA, US

## FYI

A reminder from Expert Opinion editor David Schap

Expert Opinion is an occasional column appearing in *The Forecast*. As its name implies, the essays appearing under its title are opinion pieces, but the opinions expressed are to reflect such fact, research, and analysis as is appropriate to forensic economic expertise. Topics and essayists will vary by issue. Ordinarily, some controversial issue in forensic economics will be featured, with opposing viewpoints.

On occasion the column may feature a single forensic economist explaining why thinking in the profession has coalesced around a common vision on some topic. The essays should be lively, yet substantive; referencing should be informative, but not pedantic. Suggestions for future topics and/or writers may be sent to David Schap at [dschap@holycross.edu](mailto:dschap@holycross.edu).

cont. from page 3...

10. In Bill Brandt's absence, David MacPherson summarized that NAFE sponsored six Sessions at the Western Economic Association International ("WEAI") which were held on July 1-2, 2016 at the Hilton Portland & Executive Tower in Portland, OR. There were 15 papers presented over 5 sessions, a panel session, and a cocktail reception.

David announced that the WEAI in 2017 will be held at the Marriott Marquis & Marina in San Diego, CA. NAFE is planning to sponsor sessions on Monday and Tuesday June 26 and 27, 2017. More concrete plans will be announced at a later time.

11. David MacPherson announced that the NAFE winter meeting will be on Friday and Saturday January 27 and 28, 2017 in Cancun, Mexico. A call for papers or roundtable/panel proposals were invited to fill four sessions over the two days. Anyone interested in attending should reach out to Art Eubank or Charles Baum for more information.

12. Steve Shapiro discussed the NAFE International meeting will be in Milan, Italy on one day over Friday, Saturday, or Sunday May 26, 27, or 28, 2017. The meeting typically lasts into the late afternoon and NAFE plans to have two regional attendees at the sessions. If anyone is interested in attending, they should reach out to Jack Ward.

13. David Rosenbaum noted that the AAEFE Annual Conference will be on March 30 and 31, 2017 at the New York, New York Hotel in Las Vegas, NV.

14. Steve Shapiro presented the report of the Nominating Committee which consisted of Shapiro (Chair, and Past President representative), Jennifer Polhemus, Craig Allen, and William Rogers. Craig Allen's term as Eastern Vice President ("VP") and David MacPherson's term of At-Large VP will expire at the conclusion of the Membership Meeting in Chicago, IL on January 6, 2017. The committee recommended the following members for each position:

- Christopher W. Young as Eastern VP
- David G. Tucek as At-Large VP

Following a brief discussion on the work of the committee, the Board took the ensuing actions.

D. It was moved and seconded (MacPherson, Rosenbaum) that the Board accepts the recommendation of the Nominating Committee of Christopher W. Young for Eastern Vice President to serve a three-year term from the end of the Membership Meeting on January 6, 2017 (Vote: 6 Yes – 0 No – 0 Abstain). Chris' CV is attached as Exhibit E to these minutes.

E. It was moved and seconded (Rosenbaum, MacPherson) that the Board accepts the recommendation of the Nominating Committee of David G. Tucek for At-Large Vice President to serve a three-year term from the end of the Membership Meeting on January 6, 2017 (Vote: 6 Yes – 0 No – 0 Abstain). David's CV is attached as Exhibit F to these minutes.

15. Marc Weinstein presented the United States "Return of Organization Exempt From Income Tax," Form 990 for the National Association of Forensic Economics for the year 2015. Since the return was filed on May 11, 2016, Marc sought action from the Board to retroactively approve his affirmation of the completed forms.

F. It was moved and seconded (Rosenbaum, MacPherson) that the Board retroactively authorize Marc Weinstein to sign IRS Form 990 for the year 2015 on behalf of NAFE which was filed by the Block Teitelman Group on May 11, 2015 (Vote: 6 Yes – 0 No – 0 Abstain). IRS Form 990 is attached as Exhibit G to these minutes.

16. Lane Hudgins, Editor of *The Forecast*, presented her report with respect to the newly launched newsletter (updated). Lane specifically discussed her methods of obtaining content for the newsletter and noted that many people have reached out to her to contribute. The most difficult part so far has been adjusting pictures to have clarity when being placed in the newsletter and whether to have a 12 or 16-page issue. Lane requested that the Board allow her to obtain a subscription to the online platform ISSUU at approximately \$420 per year at which point a discussion ensued if we should leave it open for the general public to see *The Forecast*.

Larry Spizman expressed concern about people volunteering to contribute content to *The Forecast* as justification of published articles regarding a specific case one might be working on. The Board agreed that the natural evolution of the newsletter will lead to a disclaimer about NAFE and the opinions expressed as well as the fact that the content will not be peer reviewed. Lane indicated that this is something she will work on developing. The Board all concurred that the *Forecast* is a great edition to NAFE.

Lane proceeded to suggest best practices at taking pictures with your phone and what will show best in *The Forecast*. She requested that if you do take pictures to forward with proper

labeling indicating who is in the photo. Lane further informed the Board that she created a template for everyone to utilize when announcing the various meeting which will have live links to the appropriate websites once placed on ISSUU. Lane also indicated that David Schap will assist with a rotating column entitled "Expert Opinion" in which he will present two different sides to a particular discussion. A more complete copy of her report is attached as Exhibit H to these minutes.

G. It was moved and seconded (Mathis, Gilbert) that the Board authorizes Lane Hudgins to proceed with purchasing an organizational subscription to ISSUU as an online publication platform for *The Forecast*. The subscription costs \$420 per year (Vote: 6 Yes – 0 No – 0 Abstain).

17. Steve Shapiro presented the report of the NAFE-L Committee which consisted of Shapiro, David Rosenbaum, and Bill Brandt. Based on their work, the following motion was presented (grammatically corrected by Mike Nieswiadomy):

The NAFE-L e-mail listserv is operated as a separate entity from the National Association of Forensic Economics. The current owners of NAFE-L are Marc Weinstein, David Jones and Jennifer Polhemus. Currently, the use of the name NAFE-L by its owners constitutes use of the abbreviation "NAFE", which is intellectual property owned by the National Association of Forensic Economics. The Board of Directors grants without any charge to the owners of NAFE-L:

1. The right to continue to use the name NAFE-L
2. The right to confirm that someone is a member of NAFE before that person is granted access to NAFE-L.

The National Association of Forensic Economics makes no warranty that (i) the NAFE-L service (service) will meet individuals' requirements, (ii) the service will be uninterrupted, timely, secure, or error-free, (iii) the results that may be obtained from the use of the service will be accurate or reliable, (iv) the quality of any products, services, information, or other material purchased or obtained by you through the service will meet your expectations, and (v) any errors in the software will be corrected. Furthermore, the right to use the name NAFE-L or to confirm membership of the National Association of Forensic Economics can be revoked at any time at the discretion of the Board of Directors of the National Association of Forensic Economics.

H. It was moved and seconded (Spizman, Gilbert) that the Board accept the motion of the NAFE-L Committee in defining the relationship by and between NAFE and NAFE-L effective immediately (Vote: 6 Yes – 0 No – 0 Abstain).

18. Lawrence Spizman discussed the status of the NAFE Software committee regarding “canned software.” The committee consisted of Kristin Kucsma (Chair), Craig Allen, Patrick Anderson, Constantine Boukidis, Kristena Gaylor, Kurt Krueger, Kevin People, and Steve Shapiro. Three proposals were presented within the committee and Larry called for a vote in which Kurt Krueger’s proposal (below) obtained the most votes (4). Upon further discussion and without a recommendation from the committee, the Board elected to take no action.

19. Marc Weinstein discussed the newly negotiated contract with Allen Press (“AP”) which included no increases in fees for association management services executed by and between NAFE and AP for the period May 1, 2016 through December 31, 2018. A brief discussion ensued regarding AP’s duties and the confusion in their processes. The discussion continued with respect to NAFE’s website and control of the content. It was agreed that the new website looks great and all were happy with Kurt Krueger’s efforts. It was also agreed upon that NAFE will closely monitor AP and the services provided to NAFE.

20. Steve Shapiro presented his report on the Journal of Forensic Economics (“JFE”). He indicated that Volume 26, Issues 1 (December 2015) was completed and a new issue will be produced in the Fall 2016 (Volume 26, Issue 2). In this issue, there are two new State Papers. An updated Worklife Expectancy paper is also in the pipeline. The following JFE activity for the period of June 2015 through June 2016 was presented:

Journal of Forensic Economics Activity  
June 2015-June 2016

Originals	22
Revisions	7
Total Submissions	29
Accepted	6
Rejected	12
Withdrawn	0
Out for review by referees	1
Out for revision	1
Under editor review	9
Total	29

The 29 total submissions are slightly down from prior periods and Steve noted that the two types of members in NAFE consisting of 1) Practitioners and 2) Academics make it difficult to obtain more papers. Since January of 2016, the JFE has accepted two additional State Papers (Rhode Island and Nebraska) which means 32 states have been completed; leaving 20 more states (Washington, DC which has not been completed and Puerto Rico which has been). Oklahoma and Massachusetts are in the pipeline, as well. There had been discussions having the Canadian Provinces added to the series as well as the Virgin Islands, but nothing has been submitted

thus far. Craig Allen commented that it would be difficult obtaining Canadian papers due to the low NAFE membership in Canada. David Rosenbaum also noted that a European paper might be of interest due to some of the international papers and sessions held annually.

Steve noted that there are five State Paper Updates (“SPU”) currently under review with Laura Taylor who is the Special Editor of the SPU’s. Steve is also contemplating writing a paper for The Forecast explaining how to get published in the JFE due to the makeup of the current membership consisting of more practitioners. Also, to assist with obtaining more submissions, Steve discussed Repac.org, an online citation service, in which Steve, Kurt and AP have been uploading files.

David Rosenbaum inquired as to the JFE’s ability to obtain referees at which Steve indicated that it’s not as easy as some think. Steve subsequently confirmed that the JFE will revamp the Board of Editors (“BOE”) in an effort to assist with obtaining more submissions as well as the direction of the JFE. A Special Editor for a symposium issue was also a possibility in the near future.

Jim Ciecka sought feedback regarding the disclaimer in the NAFE Survey Paper and the general discussion was that it was the Editors’ discretion how they wanted to handle it. Also, the Board believed it was acceptable that the authors were informed the JFE Editors required such a disclaimer.

21. Marc Weinstein explained NAFE’s desire to obtain a separate category for Forensic Economics under Category K of the Journal of Economic Literature (“JEL”) classification system. Larry Spizman elaborated on NAFE’s specific efforts based on his May 24, 2016 correspondence to the committee in which he modeled his letter on the Sports Economics group. While Larry wasn’t optimistic and noted that we gave it a shot, he sought Board advise if we should continue to pursue this endeavor. He noted that Forensic Economics is currently included in JEL K13 (Tort Law and Product Liability- Forensic Economics) and perhaps this was

cont. on page 6...

# A Note of Thanks

A year ago we introduced a redesigned newsletter to coincide with NAFE’s 30th Anniversary. As editor, I hope that the expanded content reflects the interests of NAFE members and serves their needs. I have greatly enjoyed helping with this effort and I appreciate the continued support of NAFE’s Board of Directors and Nancy Eldredge. The countless kind comments I have received about the newsletter are due in large part to the many contributors who have willingly offered to submit columns, feature articles, and photos. Without their efforts, there would be no newsletter. And without the talents of our graphic designer, Amanda Morgenstern of Morgenstern Design, it wouldn’t look so wonderful.

On a more personal note, I was very surprised to receive the NAFE 2016 Past Presidents’ Award for Outstanding Service to the Association this past January. I am very honored by this recognition and I hope to continue to advance NAFE’s goals through my work as newsletter editor.

My sincerest thanks to the Past NAFE Presidents for presenting me with this award, and to the many contributors who have made *The Forecast* a success.

Sincerely,  
Lane Hudgins  
Editor, *The Forecast* –  
A Newsletter of the National  
Association of Forensic Economics



Photo from ASSA 2017: Steven Shapiro & Lane Hudgins

cont. from page 5...

the best they would do. Mike Nieswiadomy indicated that he believed it was not wasted effort as NAFE has been serious about FE for 30 years. The BOD indicated that they may revisit the topic in the future.

22. Marc Weinstein presented the current Statement of Ethical Principles and Principles of Professional Practice ("SEPPPP") for NAFE and suggested that this Ethics Statement needs to be updated. Steve Shapiro recommended forming a committee and to seek input from George DeMartino and Bob Thornton. Craig Allen indicated that the Society of Actuaries has a strong ethics code (Statement of Practice). Marc noted that Marry Barros Bailey had done some good research on the various ethics statements of economic, vocational and life care organizations and suggested the Board seek her input for the committee. David Rosenbaum volunteered to be the Board liaison for the committee and Larry authorized the committee to consist of Mary (Chair), Constantine Boukidis, and David with the intentions to make recommendations to the Board at their January 2017 meeting in Chicago at the ASSA.

23. Marc Weinstein announced that due to the wonderful hospitality provided, the NAFE Summer Board meeting will be back at the Sofitel Chicago Water Tower on July 22-23, 2017. Finalized plans will be forwarded to the Board in the near future.

I. Since no additional business currently existed, it was moved and seconded (Rosenbaum, Macpherson) to adjourn the Summer BOD Meeting (Vote: 6 Yes - 0 No - 0 Abstain).

Respectfully submitted by:  
 Marc A. Weinstein, Executive Director  
 National Association of Forensic Economics  
 August 26, 2016

**EXHIBIT LIST:**

- A: NAFE BOD Weekend Schedule
- B: Minutes of the Board of Directors' meeting of January 3, 2016
- C: Minutes of the Board of Directors' online meeting of April 7, 2016
- D: Executive Director Reports (Financial Statement period ending May 31, 2016 and Membership Report)
- E: CV of Christopher W. Young for position of Eastern Vice President of NAFE
- F: CV of David G. Tucek for At-Large Vice President of NAFE
- G: U.S. "Return of Organization Exempt Form Income Tax," Form 990 for NAFE for the year 2015
- H: Lane Hudgins' *The Forecast* report presented to the Board

**THE NATIONAL ASSOCIATION OF FORENSIC ECONOMICS, INC.**  
**FINANCIAL STATEMENTS**  
**CASH BASIS - NOVEMBER 30, 2016 AND 2015**  
 STATEMENTS OF ASSETS, LIABILITIES AND NET ASSETS

<b>Assets</b>		
	2016	2015
Cash & Cash Equivalents	\$ 173,793	\$ 178,192
Travel Deposit	<u>1,500</u>	<u>1,500</u>
<b>Total Assets</b>	<b><u>\$ 175,293</u></b>	<b><u>\$ 179,692</u></b>

<b>Liabilities &amp; Net Assets</b>		
Payroll tax liabilities	\$ 1,555	\$ 1,555
<b>Net Assets</b>		
Unrestricted		
Undesignated	173,561	178,137
Total Net Assets	<u>173,561</u>	<u>178,137</u>
Total Liabilities & Net Assets	<u>\$ 175,293</u>	<u>\$ 179,692</u>

**STATEMENTS OF REVENUES, EXPENSES & CHANGES IN NET ASSETS**

	2016	2015
<b>Revenues &amp; Other Income</b>		
Dues & subscriptions	\$ 130,073	\$ 144,837
Fees - papers, articles & back issues	9,481	3,343
Interest	437	435
<b>Total Revenues &amp; Other Income</b>	<b><u>\$ 139,991</u></b>	<b><u>\$ 148,615</u></b>
<b>Expenses</b>		
Accounting	\$ 4,750	\$4,700
Bank charges	2,764	2,716
Conferences	58,883	49,905
Database management	16,101	19,619
Donations	50	50
Internet	630	600
Legal & Insurance	246	5,349
Newsletter	6,579	3,945
Payroll & related taxes	33,315	30,489
Publication	13,242	14,433
Subscriptions & miscellaneous	1,403	2,474
Supplies & mailing	2,114	1,972
Telephone & fax	2,677	2,638
Website development	<u>1,813</u>	<u>131</u>
<b>Total Expenses</b>	<b><u>144,567</u></b>	<b><u>139,021</u></b>
<b>Change in Net Assets</b>	<b>(4,576)</b>	<b>9,594</b>
<b>Net Assets - Beginning</b>	<b><u>178,137</u></b>	<b><u>168,543</u></b>
<b>Net Assets - Ending</b>	<b><u>173,561</u></b>	<b><u>178,137</u></b>

**STATEMENTS OF CASH FLOWS**

	2016	2015
<b>Cash Flows from Operating Activities</b>		
Change in net assets	\$ (4,576)	\$ 9,594
Adjustments to reconcile change in net assets to net cash provided by operating activities:		
Increase (decrease) in payroll tax liabilities	<u>177</u>	<u>663</u>
Net cash provided by operating activities	<u>(4,399)</u>	<u>10,257</u>
<b>Cash &amp; Cash Equivalents - Beginning</b>	<b><u>178,192</u></b>	<b><u>167,935</u></b>
<b>Cash &amp; Cash Equivalents - Ending</b>	<b><u>\$ 173,793</u></b>	<b><u>\$ 178,192</u></b>



## The Forecast Plays 20 Questions with a Willing & Enthusiastic Respondent: Francis Anthony Gallela

**Where were you born and raised?** *I was born in Harrisburg, PA and lived there during the school months and then in Wildwood, NJ during the summer. I saw JFK (first time) speak in the Harrisburg Market Square in 1960 during his campaign. Charismatic...captivating...*

**What did you want to be when you grew up?** *My dad surprised me and my brother at school when he came home from the Korean War. I was about 8 years old. He was like a hero in his Navy blues. I promised I would have a military career, which I did for almost 30 Years. (I have a very good write-up of that day which was published in our Anchorage paper last year - for anyone interested.)*

**Where did you go to school?** *St. Francis Grade school, Harrisburg, PA...Taught by Sisters of Mercy...but when they would start swinging that pointer at me I called them Sisters of no Mercy. I excelled in the choir and played the lead in the school play and was kicked out of the altar boys. I guess I was a misbehaved 12 year old. Sure we FE's all have multi degrees - some from prestigious schools. I mention my grade school because it was truly a good school and, very importantly, the training and guidance and discipline I received there set me well for the rest of my life.*

**First job?** *Making pizzas on the boardwalk for 5 summers in a row. Tossing the dough in the air ...flirting with the girls. I was fast. Took me less than one minute to make a pizza and put it into the oven. I learned how to be a good employee...earn my wage...read people and I learned that I did not want to do this all my life so I better go to college. (During this time one of my fellow workers (whose dad was in the mob) hit number 9 on the FBI's 10 most wanted list - a true, 2 beer story.)*

**How long have you lived in Alaska?** *I came here in 1972 with the Economic Development Administration. I left them because they wanted to ship me out of Alaska after just 15 months in the State. So, I quit the Feds and secured a much better job as a consultant with Coopers & Lybrand and managed to stay. Never regretted that decision. C&L taught me how to be a consultant and Alaska gave me a wonderful life.*

**If you had to describe Alaska in one word what would it be?** *One word...!...? Sorry, Alaska is too great for just one word. Here are a few descriptors - Awesome...! Beautiful...! Clean! Huge! Green! Wild! Unique! Old! New! You get the idea. Don't believe me...? Come and visit.*

**What is considered a cold day in Alaska?** *My first winter I experienced 45 below.... But it can fall to 50 or 60 below... you have to cuddle with several huskies...*

**What about a warm day?**

*In Anchorage...with no wind...no clouds...70 degrees can be very hot. No kidding. Need air conditioning in the car.*

**What do you do in the dark all winter?**

*Cuddle with huskies...opera, parties, club meetings, time with friends, cook good dinners, swing dance, conservation projects, fund raisers, skiing, (I gave up snow machining after a bad accident.) Okay...for example: Tonight ...great dinner downtown. Then I went to the Anchorage Symphony Orchestra's (ASO) special presentation of Charlie Chaplin's films - "The Kid" and "The Idle Rich". I had never seen a silent flick accompanied by a full orchestra. Great! The 2,000 member audience laughed and roared like it was 1921 again. Fifteen degrees on the way home.*

**Do you have the same bedtime in the summer as in the winter?**

*Noooo...in the land of the midnight sun we stay up late...the sun is out and we can fish, garden, tour, picnic, visit, sit around the camp fire 'till the wee morning hours. One bad aspect...when you have been partying hard and come out of the bar at 2am... broad daylight...ow! Sun hurts the eyes. But, in the winter...unless there is a compelling reason...bedtime comes earlier.*

**Describe your perfect day?**

*Espresso followed by frittata (mine)...then fishing in the sun, barbequed salmon on the deck with friends, campfire, stories, laughter...*

**Early bird or night owl?**

**Or does it depend on the season**  
*...Hmm depends on the company...*

**Beach, city or mountains?**

*Beaches are sandy and cities are crowded. Mountains...more diversified, filled with wildlife, majestic, more opportunities for exploration, surprises. "Climb the mountains and get their good tidings" - John Muir.*

**What is one word that describes you?**

*What...one word again...? You're asking a guy like me to use just one word...? Oh yeah... like that's gonna happen.*

**What is your most marked characteristic?**

*Solid friend for my friends.*

**Which words or phrases do you most overuse?**

*"If I were any better there would be 2 of me..."  
But people seem to like it...?"*

**When and where are you happiest?**

*I am happiest when I am with my best friends - almost anywhere doing almost anything.*

**If you could change one thing about yourself what would it be?**

*I would be more patient.*

*cont. on page 8...*

cont. from page 7...

What trait do you most admire in others?  
*Honesty*

Who are your favorite writers?  
Or favorite books? *History. Especially colonial era, civil war, American West, World War II. Biographies of leaders and history makers.*

Favorite movie? *Rough Riders – Tom Berenger as TR, Sam Elliott as Bucky O’Neil...*

Favorite indulgence? Or any guilty pleasures?  
*I love Oatmeal Raisin Cookies covered with crunchy peanut butter...dipped in the morning coffee...yummm*

Favorite food? *Cioppino...my own...*

Least favorite food? *Velveeta cheese...*

Proudest Accomplishment?  
*My Years as a Squadron Commander*

What is the best present you ever received?  
*My son.*

What is something you still want to learn?  
*I want to learn more of the Italian Language. Io parlo Italiano molto male...*

If you were to die and come back as a person or thing, who or what would it be?  
*Pope Francis II*

If you could say something to your younger self, what would it be?  
*Don’t be so cocky...!!*

Any pet peeves? *Liars.*

Polar bears or mosquitos?  
*My favorite North American animal is the Bison. I worked to reintroduce the Wood Bison to Alaska where it was shot out over 100 years ago. Now there are a couple hundred roaming in western Alaska. Mosquitos are the scourge of the tundra...!! Stay away from Polar Bears...they bite.*

What type of cases do you work with most often in your practice? *PI*

How do you describe your profession and what you do to someone you just met?  
*I have never come up with a short or quick way to describe my work. I usually just say “economic consulting”...and then give some FE examples.*

What issue in your work do you find most vexing? *I hate short DEADLINES...! So I have been saying no more often to short sighted attorneys.*

How did you first become involved in NAFE?  
*I am very glad that someone thought well enough of me to invite me to join.*

What is your favorite thing about NAFE?  
*Great people...!*

Where is your ideal location for a NAFE meeting to be held? *Anchorage, Alaska...!! Most people want to visit Alaska so this would be a great opportunity. •*

## COPAFS Represents NAFE on Issues of Federal Statistics’ Availability and Access

Kitty Smith Evans<sup>1</sup>

Federal statistics and statistical series create measurements and indicators of critical importance to a wide swath of social scientific researchers and practitioners, including the members of NAFE. The Council of Professional Associations on Federal Statistics (COPAFS) brings the users of federal statistics together with the agencies producing federal statistics so that the users’ needs and opinions can be shared with federal agencies, and those agencies can introduce new products, plans and policies to those who use their data. COPAFS also advocates for its members by educating policy makers about federal statistics’ uses and value, and explaining to policy makers the consequences of potential budgetary or legislative actions affecting the availability of or access to federal data and statistics.

As Executive Director of COPAFS, my activities are varied, fulfilling and, mostly, pretty fun. The U.S. Budget cycle lends seasonality to my activities. We strive to maintain funding for federal statistical agencies at levels necessary to support their core programs and introduce new innovations in statistical methods, series, or access tools. At any given moment in time, there are usually three years of federal appropriations in the works: (1) the fiscal year ending in September under which agencies are currently receiving funding; (2) Congressional Appropriations for the following year, ideally determined before the end of the next September; and (3) the President’s detailed budget request for the following fiscal year, which is supposed to come by the first Monday in February. Things are not working according to plan for 2017. But it is still at the points that a Presidential request is being formulated and that the Houses of Congress have developed proposed appropriations to agencies/programs that advocates like COPAFS are busily explaining to OMB or Congressional staff what different actions on appropriations will mean for the users of federal statistics. We’re in a lull right now, waiting to see what happens with both FY 2017 Congressional appropriations (stalled under a Continuing Resolution) and whatever the Trump Administration proposes for FY 2018. Both are said to be influenced by the Heritage Foundation’s Blueprint for the budget, which would substantially cut federal spending, especially for entitlement programs and non-defense discretionary programs like investment in science.

My other cyclical activity involves putting together useful Quarterly Meetings at which representatives of federal agencies or other experts interact with members of COPAFS in Washington, DC through presentations (usually along a theme) and a networking lunch.

These meetings are usually attended by about 70 representatives of Member organizations and federal statistical agencies. You can see the agendas for the Quarterly Meetings and summaries of their proceedings at: <http://www.copafs.org/meetings/default.aspx?> Good news – starting with the March 3, 2017 Quarterly Meeting, we will be live streaming the meetings exclusively to our Member organizations whose members are not clustered in Washington DC, including NAFE. Look for instructions about how to sign in for the web stream later this month.

An ongoing effort concerns the value to and demand by COPAFS members to access and use federal non-statistical data, aka administrative data. Administrative data are those used by agencies to run their programs. They include things like tax information, Medicare and Medicaid payments, vital statistics and literally hundreds more. See some sites for administrative data access at: <http://www.copafs.org/UserFiles/file/handouts/WebsitesforFederalAdministrativeDataFeb2015.pdf>. We have submitted comments to the Commission on Evidence Based Policymaking, a non-partisan, congressionally

1. Executive Director, Council of Professional Associations on Federal Statistics (COPAFS).  
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established Commission charged with making recommendations on how more administrative data can be made available to researchers, especially for the purpose of evaluating federal programs. That Commission will issue its report in September 2017.

The kinds of things that sometimes cannot be anticipated are proposed bills that are not aimed at federal statistics but could have unintended consequences for statistics' accuracy or availability. For example, the Cybersecurity Enhancement Act, which went into effect this past December, requires all agencies (not just statistical agencies) to utilize security software that gives Department of Homeland Security (DHS) access to everything electronically submitted to or from the government, for cybersecurity purposes only. Though we fought for accommodation of statistical agencies' privacy and confidentiality mandates, the Act was implemented without

it, causing agencies to revise the disclosure statement they make to survey respondents and raising the possibility of (further) declining survey response rates. A more recent example is a bill just introduced by Representative Gosar (R-AZ) and Senator Lee (R-UT). The bill includes the clause, "Notwithstanding any other provision of law, no Federal funds may be used to design, build, maintain, utilize, or provide access to a Federal database of geospatial information on community racial disparities or disparities in access to affordable housing." This clause alarmed a number of statistics users who wondered if it could be applied to Census and other geographically based demographic data collections. I contacted the lead staff person for Mr. Gosar and visited him this week with two COPAFS Member collaborators, Dan Newlon of the American Economic Association (AEA) and Mary Jo Hoeskema of the Population Association of America. We expressed our

concern, were assured that Mr. Gosar did not in any way intend to impede any statistical effort outside of the development of a data tool the U.S. Department of Housing and Urban Development (HUD) had developed, and elicited a promise that the language they used could be revisited at some point. This bill will, however, stay on our watch list. Who knows what will come up next!

I invite all of you to keep in touch and engage with COPAFS. Visit our Website ([www.copafs.org](http://www.copafs.org)), follow us on Twitter (@COPAFSk), read our Occasional Notes (latest one at: <http://www.copafs.org/UserFiles/file/OccasionalNotefromCOPAFS31Jan2017.pdf>), pick up the phone and give us a call (202-507-6254), and please share with me any questions or concerns that you have about your access to federal data and statistics ([kitty.smith@copafs.org](mailto:kitty.smith@copafs.org)) Thanks for your support of COPAFS! •

## Fair Calculations in Civil Damages Act of 2016: Its Potential for Unintended Consequences

Lawrence M. Spizman<sup>1</sup>

*The Fair Calculations In Civil Damages Act of 2016* recently introduced in the Senate (S.3489) and House of Representatives (H.R.6417) seeks to prohibit courts from using race, ethnicity, gender, religion, or actual or perceived sexual orientation in awarding damages to plaintiffs in civil actions.

The legislation is of interest to forensic economists, and members of NAFE in particular, because the legislation states, "*the Secretary of Labor shall develop guidance for forensic economists to develop inclusive future earnings tables that do not rely on race, ethnicity, gender, religion, or actual or perceived sexual orientation.*"

Senators Booker (D-NJ) and Gillibrand (D-NY), co-sponsors of the Senate version, justify the legislation by stating that "*troubling recent academic studies and news reports have revealed that in state and federal courtrooms across the United States, race, ethnicity and gender are used to calculate damages in civil court cases.*" They also claim that "*white and male plaintiffs often receive larger compensatory awards than plaintiffs who are minorities or women.*"

Joe Kennedy III, sponsor of the House bill, issued a press release on December 1, 2016 stating that in a "*2009 survey by the National Association of Forensic Economics, 44 percent of those responding reported they considered race and 92 percent consider gender when calculating potential lost earnings for injured children.*" These percentages were reported in a Washington Post Journal Wonk blog article by Kim Soffen on October 25, 2016, which was essentially discussing awards to children without a work history.

The reference to the NAFE 2009 survey is based on question nine in that survey. Question nine states that 43.6 % of respondents would use both race and gender-specific data and 48.1% would use only gender specific data and only .5 % would use race-specific data. The press release and blog writer added the three numbers together to get 92%.

The *Washington Post* blog presents several interesting anecdotes of verdicts in children cases. It appears the sponsors of the legislation generalized these unique cases involving children to conclude that discrimination exists in all torts. There was no empirical evidence presented suggesting general discrimination in litigation. Evidently, a *Wonk Blog* is the "*troubling news reports*"

that precipitated the introduction of federal legislation. Of course, federal legislation will not impact state laws, which have their own rules for determining economic damages in civil matters.

Because children do not have an earnings history, general statistical data is often used to determine potential earnings loss. Generally, when available, tax returns or employment records are used to determine future earnings. The anecdotes from the blog as well as the legislation infer all torts rely on general statistical data and that data is biased. Yet there is no evidence demonstrating the data itself is biased. Nevertheless, the so called "biased data" is the justification for the legislation. A cynic might opine the legislation is a form of political jockeying for liberal Democratic Party candidates' bonafides for the 2020 presidential election.

Additionally, statements about "*Troubling recent academic studies*" make no mention of what those academic studies are.

My suspicion is that the authors of the legislation are referring to research on the Gender Wage Gap, which has often been summarized to suggest that females earn  
*cont. on page 10...*

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about 79% of what men earn annually. There is a large body of research examining the causes of the wage gap. For example, simply using weekly earnings data rather than annual data lowers the gap to 83 percent.

Two of the most recent and comprehensive studies dealing with the gender wage gap are by Francine D. Blau and Lawrence M. Kahn (NLRB Working Paper 21913 <http://www.nber.org/papers/w21913> National Bureau of Economic Research, 1050 Massachusetts Avenue Cambridge, MA 02138), and Claudia Goldin, "A Grand Gender Convergence: Its Last Chapter," *American Economic Review*, 2014, 104(4): 1091-1119 <http://dx.doi.org/10.1257/aer.104.4.1091>.

Both studies discuss the narrowing of the gender wage gap and provide a hypothesis explaining the reasons for the remaining wage gap. The portion of the gap that can't be explained (about 8 percent) may or may not be due to discrimination. Yet the implication of this legislation is the gap must be due to discrimination and thus should be rectified by legislation to correct societal discrimination. Blau and Kahn state, "Here we focus on their implications for estimates of discrimination. Unexplained gender earnings differences remain which are potentially due to discrimination, although they are of course susceptible to other explanations."

However, the gender wage gap is not the same as discrimination in awards in litigation.

An additional focus of the proposed legislation is discrimination in civil damages based on religion or perceived sexual orientation. I am not familiar with earning tables or other general statistical data used in litigation that is based on religion or actual or perceived sexual orientation as referred to in the legislation. These two groups appear to be gratuitously combined with gender and race earning tables, which presents data for black, white, Hispanic and Asians. My experience is race based statistical data is seldom used. If and when race based data is presented, vigorous cross examination can be used to show why that data should or should not be used.

### Consequences of the legislation

The justification for the legislation is that past societal discrimination lowers plaintiff's awards in wrongful death or personal injury litigation for certain protected classes. If this is true, then empirical evidence must be presented that shows juries discriminate in awarding damages. When different jurisdictions within the same state award vastly different damages for similar injuries does this mean juries discriminate in those jurisdictions with lower awards? The New York State upstate/downstate divide is a classic example of downstate urban juries awarding larger verdicts for similar torts than upstate rural juries. Can the cost of living difference in urban versus rural areas influence a juror's decision in awarding damages? Does an award to a female plaintiff based on a consistent work history earning \$50,000 per year imply the jury discriminated against her because she is female by using \$50,000 as a base for earnings loss? Should those earnings be ignored because of a possible overall gender wage gap?

Is the legislation suggesting that the legal system ignore education achievement, labor force participation rates, earnings records and the plaintiff's personal history?

### Unintended Consequences: A Sampling

Since the *Washington Post* article dealt with children we should examine the effect of gender neutral life expectancy tables. Female life expectancy at birth is about 5 years more than male life expectancy. While the gap narrows with age it is nevertheless persistent. If gender neutral life expectancy is used, then a female plaintiff's life expectancy is reduced while a male plaintiff will have a higher life expectancy. In wrongful birth cases, often the biggest component of damages is the life care plan for the child. If a life care plan calls for medical treatment of a female child to life expectancy, then using gender neutral life tables will cut short the necessary funds to provide medical care. The opposite occurs for males. While the aggregate cost might offset each other, the overall effect of the award will penalize females. Since females of all ages have a lower life expectancy when using gender neutral tables, then all female life care plans to life expectancy (not just children) will be reduced. Is the intent of the legislation to reduce awards to females? New Jersey uses gender neutral life tables. What impact has that had on female children and female adults with life care plans?

Consider also the use of gender neutral tables in valuing defined pension benefits. Females with a defined benefit pension will receive fewer years of benefits with gender neutral tables. If a spouse dies and the female plaintiff is to continue receiving their spouse's retirement benefits through life, then gender neutral tables will reduce that payout to the female spouse.

Additional examples of this problem are easy to find. Whether valuing lost household services to life or healthy life, gender neutral tables will reduce awards for lost household services to females. Publications such as *the Dollar Value of the Day* demonstrate females generally perform more household services than men. Is this to be ignored because the data is not gender neutral and damages for lost household services of females should be reduced?

If pain and suffering is to continue through the end of life, then a gender neutral life expectancy table will provide females with less compensation for pain and suffering.

Turning now to earnings, newborn and school age children, as well as individuals out of the labor force for family obligation such as child rearing, have no work history so would require the use of general data to estimate earnings. What percent of torts do these plaintiffs encompass? Most working plaintiffs, however, have a work history supported by tax returns. Suppose two people with a continuous 22-year employment history are injured in the same car accident and one person's (white female) income is \$95,000 a year while the other earns \$35,000 (Hispanic female). Is the legislation proposing the Hispanic female earnings are lower than the white female earnings due to discrimination and verdicts should not be based on her 22-year history of earning \$35,000? If so, how do we rate the discrimination that might have caused that person to earn only \$35,000 a year?

Additionally, is the legislation proposing that individual choices to leave the labor market for various reasons (which will lower labor force participation rates and hence work-life) are due to discriminatory forces rather than an individual's life choices? As female educational levels surpass those of males is that to be ignored because it is not gender neutral? Are occupational and industry labor market choices also to be ignored? There are many factors, too numerous to discuss in *The Forecast*, that are credible explanations for the gender wage gap, and for wage gaps that may be seen among plaintiffs of the same gender or other statistical classification

While this legislation is being promoted to remove discrimination in jury awards, the counterintuitive results of using gender neutral statistical data can discriminate against females, and can lead to other important unintended consequences that the authors of the legislation have obviously failed to consider. •

# What's on Your Night Table?

Lane Hudgins<sup>1</sup>

- One of the most common suggestions for newsletter content that I received from NAFE members was to include a column for book recommendations and brief reviews. To set this idea in motion, I will start by sharing my thoughts on a few books I have just finished reading. I invite NAFE members to submit their recommendations to this new rotating column to let us know what you consider worth reading. -lh

## Graph Guide

Each book in this review is rated from 0 to 5 on the following three scales:  
 Recommended for forensic economists  
 Recommended for economists  
 Recommended for small talk at cocktail parties

My reading tastes are fairly eclectic - I will read anything, even milk cartons. And I like to read several books at once, keeping them stashed in different places for whenever I happen to have a few minutes. I recently finished three books that might cure insomnia for some and prove fascinating for others. In order of my perceived relevance to forensic economics they are:

### *Johnson's Life of London - The People Who Made the City That Made the World* by Boris Johnson



This book gives a clear sense that life in London has always been interesting. And its author may have made his own mark on its history, if not as a former mayor then perhaps

as a chief proponent of Brexit, which was why I decided it was time to read something he wrote. Published in 2012, this book traces the history of London through the people who shaped its fortunes as warriors, leaders, poets, writers, scientists, artists, financiers, and statesmen. It tells the history of this city as a series of biographies and offers a view of London and its influence on world fortunes and history as layered as the ground on which the city has been built and rebuilt. A little long in parts (good for insomnia), but enjoyable (good for light reading).

### *Weapons of Math Destruction - How Big Data Increases Inequality and Threatens Democracy* by Cathy O'Neil



This recently published book was so highly recommended to me that I bought it before I realized who the author was. Cathy O'Neil is the author of the blog mathbabe.org - a blog I used to read on a semi-regular basis until I ran out of time to read blogs. Big data and big algorithms are the subjects of Dr. O'Neil's concern in this informative account of how personal information and characteristics are 'repurposed' by data scientists. While this is the type of book that would appeal to anyone who has ever contemplated moving off the grid, you don't have to be quite that radical to see the current and potential impacts of big data and the algorithms that feed on it. While I will save Dr. O'Neil's definition of what a Weapon of Math Destruction (or WMD) is, I think the most obvious failure of many of the algorithms she dissects is that they have the potential to become self-fulfilling prophecies. We all know that correlation is not causality, but the most troubling aspect of the algorithms described in this book is that they are now used in such a way that correlation has been given the power to create causality. And this should not just be a concern for doomsday-prepper-types and luddites. While many of the algorithms discussed by Dr. O'Neil have been created with the prospect of eliminating or minimizing bias, the data they rely on is often a proxy for what the model is trying to capture and often leads to hidden or unobservable bias. Because many of these models are proprietary, there is no system of checks and balances to ensure that these models are accurate (or unbiased) or that feedback will be available or used for improvement. This might not be bad if the types of models described had limited or inconsequential application, but that is not the case. From education to employment, from the extension of credit to the extension of judicial sentences, many junctures in our lives are now shaped by what our data says to the algorithms that translate it. This book warns that we need to make sure these algorithms are speaking the right language.

### *GDP - A Brief but Affectionate History* by Diane Coyle



This is a concise book that provides an excellent overview of the nuts and bolts of gross domestic product measurement: how it came to be, how it was and is defined, how it is

measured, and how it needs to adapt. This is a history of a number. And the author, Diane Coyle, stresses how complex the task of creating a number like GDP is. Published in 2014, the initial chapters of this book remind us that GDP is an abstract construct, its very definition is the product of theories and sentiments regarding what should be considered income in an economy - Why government services and not household services? Why the change in the way income in the financial sector is measured? And what to do about the informal economy and illegal activities? As a minor but reoccurring theme throughout the book, Dr. Coyle points out that, contrary to Simon Kuznets initial goals, GDP was not created to be and is not a measure of welfare. From the development of national income accounting concepts in the 1930's, to the imperatives of WWII that created a need both during and after the war for this type of measurement, GDP calculation was slowly undertaken by more nations. GDP may be the go-to number for describing economic growth and positing on its causes, but Dr. Coyle tells us that there are only roughly 30 years worth of comparable GDP data for 60 countries and that difficulties in computing and comparing GDP across countries and across time should not be forgotten. This is not a lot of data points for such a prominent yardstick. As changes in many economies have intensified from the mid-1990's we see how GDP now barely keeps up with the task to which it was assigned. The author describes recent changes in the definition of GDP, particularly those involving the financial sector perhaps in response to the perceived importance of this sector in modern economies. (That this sector so famously blew up so many economies is also discussed.) The book concludes with a recap of the many challenges to GDP measurement including the growing importance of the service sector, how to capture innovation and changes in quality, and what to do about the twin concerns of sustainability and resource depletion. Economists like to tell stories, and (inconveniently) these stories become dated. That seems to be very much the case with the role of GDP in discussions of economic growth, but what is an economist to do? While Dr. Coyle discusses the many challenges to GDP measurement and it's many and growing shortcomings as economies change over time, she also reviews alternative measures. While GDP is flawed, there is currently nothing on the horizon to take the place of this ubiquitous statistic. This is a book that deserves to be read as a caution that abstract economic statistics are just that - abstract - and they do need to keep pace with what they are attempting to measure. If you are keen to read a book on GDP, I would say this should be it. •

1. Consulting economist, Lane Hudgins Analysis, Murphysboro, IL. Contact at: [lane@lh-analysis.com](mailto:lane@lh-analysis.com).

# NAFE in New York



Please join NAFE February 24 & 25 in New York City for four fabulous forensic economic sessions and one fantastic cocktail party held in conjunction with the 43rd Annual Conference of the Eastern Economic Association.

Of course aside from the meeting, New York has much to offer NAFE attendees. While Larry Spizman suggested skating at Rockefeller Center (it is their 80th Anniversary season, by the way), I think visiting museums would be warmer. New York offers nothing if not variety, so if you aren't into hiking through miles of art at The Metropolitan Museum of Art or the Museum of Modern Art, you could look for the significantly smaller offerings at museums like the City Reliquary Museum, or The Tenement Museum. If history of the Early Republic and the Founding Fathers is your thing then two museums you might like to consider are the Fraunces Tavern Museum, which does have a tavern, and the Hamilton Grange National Memorial, which is particularly recommended if you are into all-things-Hamilton. Two small museums of a more academic nature are the Morgan Library & Museum, which aside from being a beautiful historic site also has a lovely restaurant for lunch, and the National Museum of Mathematics, which is said to be both kid and math-adverse adult friendly. And if I had to pick two design focused museums either The Noguchi Museum, dedicated to the 20th century sculptor and designer Isamu Noguchi, or The Museum at the Fashion Institute of Technology, which is not only fashionable but free, would both be great choices. I wish I could suggest checking out the Mmuseumm (the tiniest of New York museums housed in an abandoned elevator shaft), but it will likely be closed until spring waiting for a new exhibit to be installed. Too bad. I guess that will have to wait for another visit.

Whatever you decide to do or visit in New York, the city will make a wonderful backdrop for the NAFE sessions. Enjoy! -lh



Photos from the SEA Meeting in Washington D.C. (From top left to bottom right):

- 1) Session attendees
- 2) Elaine Reardon, Carole Amidon, Stephen Bronars & Paul White
- 3) Kitty Smith Evans & Frank Adams
- 4) Jerome Paige, Greg Billings & Jim Rodgers
- 5) Paul White & Elaine Reardon



# Meeting Updates

## Winter Meeting Schedule of Sessions

18th Annual NAFE Winter Meeting  
Cancun, Mexico - January 27-28, 2017  
Hotel: Krystal Grand Punta Cancun Hotel  
Organized by: Arthur Eubank ([art@eubankeconomics.com](mailto:art@eubankeconomics.com))  
and Charles Baum ([baumeconomics@gmail.com](mailto:baumeconomics@gmail.com))

The 18th Annual NAFE winter meeting was recently held on January 27 and 28 in Cancun, Mexico and featured four sessions. While a recap and photos from the meeting will appear in the May issue of *The Forecast*, the papers that were scheduled to be presented are listed below:

Friday Morning, Jan. 27, 2017: Forensic Sessions Day #1  
(Vista Salon Meeting Room)

7:50 a.m. - Coffee and Pastries in Meeting Room

8:00 a.m. - Welcoming Remarks: Art Eubank & Charlie Baum

8:05 a.m. - 10:00 a.m. - Session 1: Topics in Forensic Economics, Chair/Moderator:  
Frank Tinari

- Presenter: Christina Tapia, "A Preliminary Summary of Court Decisions Related to the ACA."
- Presenter: Bob Minnehan, "An Incomplete Comparison of Three National Health Care and Social Security Systems: Norway, Canada, and the United States."

10:00 a.m. - 10:15 a.m. Break

10:15 a.m. - 12:00 Noon - Session 2: Topics in Forensic Economics, Chair/Moderator:  
David Schap

- Presenter: Frank Tinari, "An Attempt at Public Lecturing on Forensic Economics Using a Ballroom Dancing Metaphor."
- Presenters: Tom Ireland and Jim Rodgers, "Further Discussion of the Hambrook Decision."

Saturday Morning, Jan. 28, 2017: Forensic Sessions Day #2  
(Vista Salon Meeting Room)

7:50 a.m. - Coffee and Pastries in Meeting Room

8:00 a.m. - 10:00 a.m. - Session 3: Topics in Forensic Economics, Chair/Moderator:  
Jim Rodgers

- Presenter: David Schap, "Jurisdictional Differences in the Application of Collateral Source Rule Exclusions."
- Discussion Leaders: Andrew Eubank and Art Eubank, "Discussion of Issues in Forensic Economics."

10:00 a.m. - 10:15 a.m. Break

10:15 a.m. - 11:55 a.m. - Session 4: Topics in Forensic Economics, Chair/Moderator:  
Christina Tapia

- Presenter: Jim Rodgers, "Thoughts about the Pfeifer v. J & L Steel Case."
- Presenter: Tom Ireland, "An Update on Hybrid Torts."
- Presenter: Charles Baum, "Calculating Economic Losses from Wrongful Incarceration."

11:55 a.m. - Closing Remarks: Art Eubank and Charlie Baum

-*Art Eubank and Charles Baum, Organizers*

## Eastern Meeting

Join Us at the 2017 Eastern Meeting, New York, NY  
Eastern Economic Association 43rd Annual Conference  
New York, NY - February 24-25, 2017  
Hotel: Sheraton New York Times Square Hotel and Towers  
Housing Link: <https://www.starwoodmeeting.com/Book/EEA2017>  
Conference Information:

<http://www.easterneconomicassociation.org/43rd-annual-conference.html>

Organized by: Craig Allen, Past Vice President - Eastern Region ([c.allen.fcas@gmail.com](mailto:c.allen.fcas@gmail.com))

NAFE will hold four sessions at the Eastern Economic Association 2017 conference, February 24-25, 2017 at the Sheraton New York Times Square Hotel in New York, NY. The scheduled sessions are as follows:

Session I - Friday, Feb. 24,  
4:00 PM to 5:20 PM

- Dislocated Workers and the Uncompensated Shifting of Risk, Jean-Pierre Berliet, Berliet Associates, LLC
- Litigation Finance (tentative)

Session IA - Friday, Feb. 24, 6PM  
Social Event, Near the Sheraton  
New York Times Square

Session II - Saturday, Feb. 25,  
8:30 AM to 9:50 AM

- The ACA and Life Care Plans, Richard Lockley, Jerome S. Paige and Associates, LLC
- Facility Care and Attendant Care, Victor A. Matheson, College of the Holy Cross

Session III - Saturday, Feb. 25,  
10:00 AM to 11:20 AM

- Net Discount Rates, Moses Sawney, Jerome S. Paige and Associates, LLC
- Interactions between Causation and Damages, Craig A. Allen, Commonwealth Research Group, Inc.

Session IV - Saturday, Feb. 25, 2:30  
PM to 3:50 PM

- The Role of the Certified Fraud Examiner in Forensic Economics, Josefina V. Tranfa-Abboud, Analytical Economics Associates LLC
- Commercial Damages, Ilhan K. Geckil and Peter Schwartz, Anderson Economic Group

Updated information about the Eastern Economic Association and its conferences can be found at: <http://www.easterneconomicassociation.org>.

-*Craig Allen, Vice President - Eastern Region*

## International Meeting Meeting Announcement

14th Annual International  
Conference of the National  
Association of Forensic Economics  
Milan, Italy - May 27, 2017  
Organized by: Jack Ward

([ward@johnwardeconomics.com](mailto:ward@johnwardeconomics.com))

The 2017 meeting will be Co-Chaired by Matteo Merini and Elisabetta Linares. Elisabetta and Matteo are both from Milan. Our Hotel will be the LaGare Milano Centrale. This Sofitel hotel was recently featured in the New York Times: [http://www.nytimes.com/2016/07/10/travel/milan-hotel-lagare-milano.html?\\_r=1](http://www.nytimes.com/2016/07/10/travel/milan-hotel-lagare-milano.html?_r=1). Superior Rooms will cost from 170 Euros/night and Deluxe from 200 Euros/night. Breakfast is included, and rooms are being held for at least two days before and two days after the conference day. The registration fee is \$320

for couples and \$220 for singles. Registration covers the meeting room, lunch and group dinner on May 27. Participation is nearly full but could increase 1-2 more. Please contact John Ward a.s.a.p. at: [Ward@JohnWardEconomics.com](mailto:Ward@JohnWardEconomics.com)

-Jack Ward, Organizer

## Western Meeting

### Call for Papers and Discussants

Western Economic Association International 92nd Annual Conference

San Diego, CA – NAFE Sessions June 26-27, 2017

Hotel: San Diego, CA Marriott Marquis San Diego Marina

Housing Link: To be posted later

Conference Information: <http://www.weai.org/RecentFutureConf>

(More information to be posted later)

Organized by William G. Brandt, Vice President – Western Region

The 2017 NAFE Western Regional Conference will be held at the 92nd Annual Conference of the Western Economic Association International in San Diego, CA on June 26 – 27. NAFE will hold 3 sessions on the 26th, and 2 or 3 sessions on the 27th, for a total of 5 - 6 sessions. The agenda is open, and potential presenters and discussants are encouraged to contact Bill Brandt. Further details will follow.

Please contact Bill Brandt at 206.201.3033 or [bill@brandtforensiceconomics.com](mailto:bill@brandtforensiceconomics.com)

-William Brandt, Vice President – Western Region

## Mid-Western Meeting News

Midwestern Meeting

Call for Papers/Participants

The 54th Annual Conference of the Missouri Valley Economic Association

Kansas City, MO - October 26-28, 2017

Hotel: Kansas City Marriott Country Club Plaza

Housing Link: None Yet

Conference Information: <http://www.mvea.net/conferences.html>

Organized by: Dave Rosenbaum, Vice President – Midwestern Region

The Missouri Valley Economics Association is hosting its 54th annual meeting in Kansas City this fall. NAFE plans to hold one paper session. All those interested in participating, please contact Dave Rosenbaum at [drosenbaum@unl.edu](mailto:drosenbaum@unl.edu).

-David Rosenbaum, Vice President – Midwestern Region

## Southern Meeting

### Recap - NAFE in Washington, DC

The November 2016 NAFE Sessions at the Southern Economics Association in Washington, D.C. hosted 27 attendees and featured four papers and a panel.

During the first session interesting and informative papers were presented by Katherine Smith Evans of the Counsel of Professional Association on Federal Statistics; Frederick Selck, Partner, Bates and White; Nestor Rodriguez, USDA Center for Nutrition and Promotion; and Gregory Billings, Jerome Paige and Associates. Respective discussants providing insightful comments were Frank Adams, Kennesaw State University, Craig Allen, Commonwealth Research Group, Inc.; David Rosenbaum, University of Nebraska, Lincoln; and James Rodgers, Penn State University.

The panel discussion featuring an in-depth view of Statistical Analysis of Discrimination was led by Paul White, Partner, Resolution Economics Group, LLC, and included Carole Amidon, Associate Director at Berkley Research Group, LLC; Stephen Bronars, Partner at Edgeworth Economics, LLC; and Elaine Reardon, Director at Resolution Economics, LLC.

Following the sessions, a number of members and participants enjoyed visiting and continuing discussions over lunch.

-Gil Mathis, Vice President – Southern Region

## Next up for the Southern Meeting Call for papers

Southern Economic Association

87th Annual Meeting

Tampa, FL – November 17-19, 2017

Hotel: Tampa Marriott Waterside

Hotel and Marina

Hotel Reservations: (423) 425-4118

Conference Information:

<https://www.sea@utc.edu>.

Organized by Gil Mathis, Vice President

– Southern Region

Please contact Gil Mathis if you are interested in presenting a paper or serving as a discussant for this meeting ([gil.mathis@murraystate.edu](mailto:gil.mathis@murraystate.edu)).

-Gil Mathis, Vice President

– Southern Region

## National Meeting

### Recap - NAFE Sessions at the 2017 ASSA Meeting in Chicago

NAFE's 2017 sessions at the ASSA annual meeting took place in Chicago on January 6th and 7th. NAFE sponsored four sessions, consisting of a panel discussion and nine forensic economic research presentations, and hosted a lively reception.

## Next up for the National Meeting: Call for Papers

2018 ASSA Annual Meeting

Philadelphia, PA- January 5-7, 2018

Hotel Information: Not yet available

Conference Information:

<https://www.aeaweb.org/conference/future-annual-meetings>

Organized by: Scott Gilbert,

Vice President – At Large

The 2018 ASSA annual meeting will be held January 5-7 (Friday, Saturday, Sunday) 2018 in Philadelphia, PA. Scott Gilbert will organize the sessions, please contact him at [gilberts@siu.edu](mailto:gilberts@siu.edu) if you would like to participate.

-Scott Gilbert, Vice President

– At Large

## Meetings of Other Associations

### American Academy of Economic & Financial Experts

AAEFE 29th Annual Meeting  
 Las Vegas, NV – March 30-31, 2017  
 Hotel: New York New York Hotel and Casino  
 Hotel Link: <https://aws.passkey.com/event/15093908/owner/2113/home>  
 Conference Information: check [www.aafe.org/annual-meeting](http://www.aafe.org/annual-meeting) for updates  
 Agenda: [http://www.aafe.org/images/AAEFE\\_2017\\_Agenda.pdf](http://www.aafe.org/images/AAEFE_2017_Agenda.pdf)

### American Rehabilitation Economics Association

AREA 2017 Annual Conference  
 San Diego, CA – May 11-13, 2017  
 Hotel: The Bay Club Hotel and Marina  
 Hotel Reservations: Please call 800.672.0800 or 619.224.8888 before April 10, 2017  
 and identify yourself as part of the AREA group at the time of making your reservation to  
 be eligible for the group rate  
 Additional Conference Information: [www.a-r-e-a.org/](http://www.a-r-e-a.org/)



Photos from the 2017 ASSA Meeting, Chicago:  
 1) David Schap & PJ Taucer (above)  
 2) Lane Hudgins at the NAFE Board of Directors Meeting (left)  
 3) Tom Ireland & Stan Smith (left bottom)  
 4) Marc Weinstein & Mike Nieswiadomy (below)  
 5) Around the piano: Kevin Cahill, Frank Adams & Steven Shapiro  
 6) Patrick Anderson in a signature bow tie



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## NAFE Events

Mark Your Calendars  
for these upcoming  
NAFE meetings and sessions

### 2017

EASTERN ECONOMIC ASSOCIATION  
New York City – February 22-26, 2017

NAFE INTERNATIONAL MEETING  
Milan, Italy – May 27, 2017

WESTERN ECONOMIC ASSOCIATION  
San Diego – June 25-29, 2017

MISSOURI VALLEY ECONOMIC ASSOCIATION  
Kansas City-October 26-28, 2017

SOUTHERN ECONOMIC ASSOCIATION  
Tampa – November 17-19, 2017

### 2018

AMERICAN ECONOMIC ASSOCIATION – ASSA  
Philadelphia- January 5-7, 2018

Look for meeting details inside



Photos from the 2017 ASSA Meeting, Chicago:  
1) Kevin Cahill & Robret Bohm 2) Ed & Janet Foster

**NAFE**<sup>SM</sup>  
National Association of Forensic Economics