

Vista Consulting Group Inc.



Dr. John N. O'Brien, Vista Consulting's CEO, is a highly experienced litigation support expert having been engaged as a primary expert witness and subject matter expert in over 25 different judicial actions as well as numerous administrative regulatory proceedings involving energy-related matters. His extensive prior history as a high-level advisor in the energy sector has contributed to the success of numerous judicial matters in which he has been engaged resulting in well over **\$3.5 Billion in judicial recoveries for his clients**. He possesses a very broad and deep level of expertise and extensive experience in the energy industry. He fully understands the details of energy regulatory economics as well as adherence to the applicable procedural and evidentiary requirements of judicial and regulatory litigation.

Before he began providing litigation support services, he spent 10 years as a Full Scientist at the US Department of Energy's Brookhaven National Laboratory in its Department of Nuclear Energy (1976-1985), 13 years as founder and CEO of several significant energy companies (1985-1998), 25 years as a high-level energy consultant and advisor with several nationally-recognized consulting firms advising substantial corporate entities (1998-Present) and 20 years providing energy-related expert litigation support as described below (2003-Present). He also was a sitting Commissioner on the Florida Energy Commission and Chair of its Climate Change Subcommittee (2006-2008). He is still fully active in providing litigation support in significant matters and his firm's deep network of experts includes many experienced expert witnesses and subject matter experts in a range of disciplines applicable in meaningful litigation.

Prior Expert Engagements

Under Dr. O'Brien's direction, Vista Consulting has provided litigation support for many leading law firms including *Robbins Geller Rudman & Dowd*; *Hagens Berman Sobol Shapiro*; *Labaton Sucharow*; *Cotchett, Pitre & McCarthy*; *Levi & Korsinsky*, and *Arnold & Porter* among numerous others. Vista Consulting has also provided detailed analyses of important issues in litigation for a number of other client firms. For instance, Vista provided expert litigation support on behalf of AIG Claims in addressing untimely Director & Officer insurance claims by Santee Cooper, a South Carolina utility, in which the matter was ultimately settled in a manner favorable to our client.

We have been engaged to provide expert litigation support in a class-action securities and consumer fraud cases against ExxonMobil, Southern Companies, Energy Solutions, Central Maine Power, SCANA, and Sasol among other large, publicly traded corporate entities as well as the City of Seattle. As previously noted, **our clients have achieved well over \$3.5 Billion in recoveries**. *We are capable of providing a full and competent expert report, and based on our specialized research and the arguments in the expert report, provide evidentiary oral testimony that attests to the assertions made in the relevant Complaint and in subsequent motion practice.*

Our expert report and testimony will also satisfy the requirements and objections that can be raised in any **Daubert and Frye motions** that may ultimately be filed by the Defendants attempting to strike the evidence that we provide. We have provided testimony and have successfully defended our evidence as presented against motions to exclude. We have frequently testified in depositions as well as in courtrooms and have been ***certified as expert to competently testify concerning energy economic regulatory and contractual issues***. We also have a robust network of expert independent contractors that are experienced high level subject matter experts including Professional Engineers, data analysts, research specialists, software evaluators, economists, technology analysts, field experts, forensic video analysts, construction experts, and cost estimation specialists among others, that can very effectively contribute to a successful litigation strategy. **Our experts have never been excluded.**

Partial List of Past Designated Expert Litigation Support Engagements

EcoFurn, LLC v. AGL Services Company et al, In the Circuit Court of Cook County, Illinois, County Department, Law Division, 2023L008912, 24240740

Cafe Gelato et al v. Simon Property Group et al, Southern District of Florida, 20-cv-60981

Levesque et al v. Iberdrola (Central Maine Power) et al, 2:19-cv-389 Federal District Maine

Robert Weyrens et al v. Summit Utilities Inc et al, 60-cv-1571, In the Pulaski County Circuit Court, Arkansas

South Carolina Public Service Authority v. National Union Fire Insurance Company of Pittsburgh, Pa; AIG Claims, Inc.; and US Specialty Insurance Company, Civil Action No. 2:19-cv-03279 South Carolina District.

Moshell et al v. Sasol Ltd et al, 1:20-cv-1008 Southern District of New York

Deien et al v. Seattle City Light, In the Superior Court of the State of Washington in and for the County of King, No. 19-2-21999-8 Seattle District Court

Cook et al v. South Carolina Public Service Authority, State of South Carolina, County of Hampton, Court of Common Pleas, Fourteenth Judicial District. Case No. 2017-CP-25- 348

Lightsey et al v. South Carolina Electric and Gas Company, A Wholly Owned Subsidiary of SCANA, State of South Carolina, County of Hampton, Court of Common Pleas, Fourteenth Judicial District. Case No. 2017-CP-25-335

Monroe County Employees' Retirement System et al v Southern Companies et al, 1:17-cv-241 Northern District of Georgia

Wave Length Hair Salons Of Florida D/B/A Salon Adrian et al v. CBL & Associates Properties, Inc. et al, 2:16-cv-00206 Middle District of Florida

Veilleux et al v. Electricity Maine et al, 1:16-cv-571 District of Maine

America's CNG, LLC v. City of Lake City, Third Judicial Circuit, Columbia County, Florida Case No.: 2015-ca-000511

State of California, et al v. BP America, et al, Superior Court of the State of California, CGC-12- 522063

Solazyme Class Action Litigation, 3:15-cv-02938 Northern District of California

Juan Ramon Torres et al v SGE Management, 4:09-cv-2056, Southern District of Texas

Bamforth et al v. Nevada Power Company, District Court, Nevada County, Case A-16-730159-C

Ramirez et al v. Exxon-Mobil, Case No. 3:16-cv-03111 Northern District of Texas

Stadnick v. Vivint Solar Inc. 1:14-cv-09283 and 1:14-cv-9709 Consolidated Southern District of New York

Xpert Universe Inc v Cisco System Inc, 1:09-cv-00157 District of Delaware

Caleb Ho et al v Flotek Industries, Inc et al, 4:15-cv-03327 Southern District of Texas

Wanxiang America Corp v Bluechip Energy LLC, AAA Case No. 50-198-T-000516-11

Fay v Dominion Transmission, In the Court of Common Pleas of Tioga County, Pennsylvania, 3:10- cv-01384

Scott Allen Fay v UGI Utilities/Central Penn Gas, Court of Common Pleas of Tioga County, Pennsylvania No. 1225-cv-2009

Starbrite, Inc. v. Valvtect Petroleum Products et al, 0:09-cv-60812, Southern District of Florida

Building Trades United Pension Trust Fund et al v. EnergySolutions, Inc. et al, 1:09-cv-08648, Southern District of New York

John Deere & Co. v. TXU Energy Solutions, Arbitration, No. 51-198-Y-01658-04

Rufus T. Dorsey, Iv, Examiner: For NewPower Holdings, Inc. et al v. Enron Corp. et al., United States Bankruptcy Court, Southern District of New York, Adv. Proc. No. 04-04303

Tawney et al v. Columbia Natural Resources LLC et al, Circuit Court of Roane County, West Virginia, Civil Action No. 03-C-10E

Metromedia Energy, Inc., v. Enserch Energy Services, Inc, et al, United States District Court, District Of New Jersey, Civil Action No. 03-1561

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