

Charles Gibbons

PRINCIPAL

Practice Leader: Environment & Natural Resources

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Dr. Gibbons specializes in applying sophisticated econometric and statistical models to legal, regulatory, and policy issues.

He has experience in a variety of litigation matters, including structural modeling of antitrust damages, estimating price premium impacts in consumer protection matters, and determining the impacts of environmental contamination on private property and recreational use. Dr. Gibbons' work has been used in three of the most significant recent areas of natural resource damages assessment: the impacts of the *Deepwater Horizon* oil spill, surface-water contamination from PCBs, and groundwater contamination from PFAS. His work has also been pivotal in the assessment of damages in numerous class actions, including *In re: Blue Cross Blue Shield Antitrust Litigation*, which received *Global Competition Review's* "Litigation of the Year – Cartel Prosecution" award. Dr. Gibbons has also conducted conjoint and other types of surveys to understand consumer behavior and damages.

In 2021, Dr. Gibbons and his coauthors won "Antitrust Paper of the Year" from *Concurrences* and he was a member of the group awarded "Antitrust Team of the Year" from both the American Antitrust Institute and *Global Competition Review*.

Dr. Gibbons is the co-founder and former chair of Brattle's LGBTQ+ employee resource group, BProud. He was previously a Lecturer at the University of California, Berkeley, where he taught a graduate-level course in probability and statistics.

AREAS OF EXPERTISE

- Antitrust & Competition
- Consumer Protection & Product Liability
- Environment & Natural Resources

EDUCATION

- **University of California, Berkeley**
PhD in Economics, MA in Statistics
- **Cornell University**
BA in Economics and Government

PROFESSIONAL EXPERIENCE

- **The Brattle Group (2012–Present)**
Principal (2024–Present)
Senior Associate (2016–2023)
Associate (2012–2016)
- **Fitbod (2019–Present)**
Statistics Advisor
- **University of California, Berkeley (2011–2015)**
Lecturer (2012–2015)
Instructor (2011)

EXPERT TESTIMONY

LITIGATION

- **Confidential Tribal Litigation** | US District Court, District of Columbia | Mediation Report and Testimony, with Mark Berkman (August 2023)
- **American Home Furnishings Alliance, Mississippi Economic Council, and Mississippi Manufacturers Association v. US Consumer Product Safety Commission** | US Court of Appeals, 5th Circuit | Declaration (February 2023)
- **Stephanie Mackie et al. v. Chemtool et al.** | US District Court, Northern District of Illinois | Expert Report, with Mark Berkman (January 2023)
- **Sid Miller et al. v. Tom Vilsack** | US District Court, Northern District of Texas | Expert Report, with Mark Berkman (May 2022)

REGULATORY

- **Confidential Review of Administrative Penalty** | British Columbia Ministry of Environment and Climate Change Strategy | Expert Report (July 2024)
- **“HFC Transition in the Grocery Industry: A Review of the Anticipated Impact of the EPA Rule”** | *Re: Technology Transitions Restrictions on the Use of Certain Hydrofluorocarbons under Subsection (i) of the American Innovation and Manufacturing Act* | Office of Management and Budget | Regulatory Comments, with Mark Berkman (July 2023)
- **“Proposed Safety Standards for Clothing Storage Units: Comments on the Preliminary Regulatory Analysis”** | *Re: Safety Standard for Clothing Storage Units* | US Consumer Product Safety Commission | Regulatory Comments, with Mark Berkman (April 2022)
- **“Assessment of an Internal Benchmark for Alberta Crown Timber”** | *Re: Countervailing Duty Investigation of Certain Softwood Lumber Products from Canada* | US Department of Commerce | Regulatory Comments, with Mark Berkman and Kevin Neels (March 2017)
- **“Quantile Regression with Applications to Peak Demand Forecasting”** | *Re: Peak Demand Forecasts for China Light & Power* | Government of Hong Kong | Regulatory Presentation, with Ahmad Faruqi (September 2013)

SELECTED CONSULTING EXPERIENCE

ENVIRONMENTAL & NATURAL RESOURCE LITIGATION

- Estimated the impacts of the *Deepwater Horizon* oil spill on recreational visits to the Gulf of Mexico as part of a natural resource damages assessment
- Developed a survey to study fishing and fish consumption behavior of anglers, which was used to determine the alleged damages sustained due to water contamination
- Estimated property diminution for a class of homeowners due to groundwater contamination from PFAS
- Calculated the value of surface water deliveries to growers in the Klamath Basin as part of an environmental takings case on behalf of the US Department of Justice

CLASS CERTIFICATIONS AND DAMAGES

- Supported a review of Plaintiff’s damages model in *Laumann v. NHL*, leading to a successful *Daubert* challenge of Plaintiff’s expert

- Developed a structural model of the health insurance industry for estimating antitrust damages in the *Blue Cross Blue Shield Antitrust* MDL
 - Awarded Outstanding Antitrust Litigation Achievement in Economics from the American Antitrust Institute
 - Awarded Litigation of the Year Award (Cartel Prosecution) by *Global Competition Review*

CONSUMER PROTECTION & PRODUCT LIABILITY

- Submitted a report to a regulatory agency discussing the scientific reliability of product sampling data used to support nutrition label claims
- Designed a conjoint survey to elicit consumers' preferences for features of an online music streaming service and used state-of-the-art models to estimate willingness-to-pay for those features as part of the *Web IV* royalty setting proceeding
- Examined a cryptocurrency market for evidence of coin price manipulation
- Provided consulting guidance on the impact of worker regulations and unionization on the business model of a firm in the gig economy
- Modeled the impact of an advertising campaign on demand for competing products in the context of a false advertising case using sales data and consumer sentiment analysis

MORTGAGE-RELATED LITIGATION

- Assessed the causal relationship between defective underwriting practices and subsequent mortgage delinquencies by a major lending institution on behalf of the US Attorney's Office
- Evaluated mortgage origination and pricing records for evidence of racial discrimination practices at nationwide lending institutions for the Consumer Financial Protection Bureau

ARTICLES & PUBLICATIONS

PUBLICATIONS

- "Assessing the Mechanisms Underlying Property Diminution Damages," with Stephanie Biehl, *Natural Resources & Environment*, ABA Section on Environment, Energy, and Resources (forthcoming)
- "Just My Type: Modernizing Analytical Approaches for 'Minor' Natural Resource Damages," *Superfund and Cost Recovery Committee Newsletter*, ABA Section on Environment, Energy, and Resources (2023)

- “Understanding the Econometric Tools of Antitrust—With No Math!” with Michael Cragg and Loren Smith, *ANTITRUST Magazine* 35(2) (2021)
 - Winner of Concurrences’ Antitrust Writing Awards, Economics Category
- “Broken or Fixed Effects?” with Juan Carlos Suárez Serrato and Mike Urbancic, *Journal of Econometric Methods* 8(1) (2018)

WHITE PAPERS

- “Economic and Fiscal Impacts of the Vistra Morro Bay BESS Project” with Mark Berkman and Gage Hornung (May 2024)
- “A Review of the National Fire Incident Reporting System and the National Fire Protection Association’s Upholstered Furniture Fire Statistics” with Mark Berkman and Stephen Lagos (August 2015)
- “Quantile Regression for Peak Demand Forecasting” with Ahmad Faruqi (July 2014)

IN PROGRESS

- “Natural Resource Damages from Fishing Site Impairments: Evidence from a Repeat Cross Section of New York Anglers,” with David Sunding, *Land Economics* (revise & resubmit)
- “The Significance of Statistical Significance (or Lack Thereof)”

PRESENTATIONS & SPEAKING ENGAGEMENTS

- Trial Academy mock expert witness, New York State Bar Association Antitrust Section (May 2023)
- “Pride & Inclusion: A How-To Guide” (panelist), American Bar Association (June 2022)
- “Quantile Regression for Peak Demand Forecasting,” California Energy Commission Demand Analysis Working Group (September 2014)
- “The Application of Quantile Regression to Forecasting Peak Demand,” Center for Research in Regulating Industries (Eastern and Western conferences) (2014)
- “Housing Wealth and the Demand for Electricity: Prometheus Bound,” with Joe Wharton, Electric Utility Forecasters’ Forum (June 2012)
- “Ad Server and Firm Strategies in Contextual Advertising Auctions,” US Federal Trade Commission, Microeconomics Conference (November 2011)

- “Firm Strategy in Contextual Advertising Auctions,” Northwestern University, Searle Center Conference on Internet Search and Innovation (June 2011)
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SELECTED HONORS & FELLOWSHIPS

- National Science Foundation (IGERT) Politics, Economics, Psychology, and Public Policy Fellow
 - Searle Center on Law, Regulation, and Economic Growth (Northwestern University) Award
 - University of California, Berkeley, Department of Economics Fellowship
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PROFESSIONAL AFFILIATIONS

- Referee: *Review of Economics and Statistics*, *International Journal of Forecasting*, *Industrial Relations*
- Member: American Economic Association, American Statistical Association, Association of Environmental and Resource Economists, American Bar Association