

# Charles Gibbons

## PRINCIPAL

### Practice Leader: Environment & Natural Resources

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Dr. Gibbons applies rigorous econometric and statistical models to complex legal, regulatory, and policy issues.

His extensive litigation experience includes structural modeling of antitrust damages, estimating price premium overcharges in consumer protection matters, and assessing the impacts of environmental contamination on private property and recreational use. Dr. Gibbons has also conducted conjoint and other types of surveys to understand consumer behavior.

Dr. Gibbons' analyses were relied on in high-profile natural resource damages matters, including: the impacts of the *Deepwater Horizon* oil spill, surface-water contamination from PCBs, and groundwater contamination from PFAS. He also led teams conducting damages analyses for numerous antitrust and consumer protection 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 testified in state and federal courts and presented to regulatory bodies and mediators. In 2021, he and his coauthors won "Antitrust Paper of the Year" from *Conurrences* 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 received a PhD in economics and MA in statistics from the University of California, Berkeley, where he also most recently taught a graduate-level course in probability and statistics. He co-founded and chaired Brattle's LGBTQ+ employee resource group, BProud, leading firm-wide initiatives on mentorship and inclusion.

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#### AREAS OF EXPERTISE

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

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## EDUCATION

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

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## PROFESSIONAL EXPERIENCE

- **The Brattle Group (2012–Present)**  
Principal (2024–Present)  
Senior Associate (2016–2023)  
Associate (2012–2016)
- **Fitbod (2019–2021)**  
Statistics Advisor
- **University of California, Berkeley (2011–2015)**  
Lecturer (2012–2015)  
Instructor (2011)

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## EXPERT TESTIMONY

### LITIGATION

- ***Commerzbank AG v. The Bank of New York Mellon and The Bank of New York Mellon Trust Company, NA*** | US District Court, Southern District of New York | Case No. 15-CV-10029-GBD | Expert Report (December 2025)
- ***Thomas Pollock and Eileen Tabios v. Federal Insurance Company*** | US District Court, Northern California | Case No. 3:21-CV-09975-JCS | Expert Report (June 2025); Deposition (August 2025)
- ***State of Vermont v. 3M Company et al.*** | Vermont Superior Court, Chittenden Unit | Case No. 547-6-19 CNCV | Written Testimony (October 2024); Deposition (February 2025)
- ***Cherokee Nation v. Bureau of Indian Affairs et al.*** | US District Court, District of Columbia | Case No. 1:19-CV-02154 | 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, 5<sup>th</sup> Circuit | Case No. 22-60639 | Declaration (February 2023)
- **Stephanie Mackie et al. v. Chemtool et al.** | US District Court, Northern District of Illinois | Case Nos. 21 CV 50283 and 21 CV 50285 | Expert Report, with Mark Berkman (January 2023)
- **Sid Miller et al. v. Tom Vilsack** | US District Court, Northern District of Texas | No. 4:21-cv-00595-O | 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); Response to Ministry Questions (June 2025)
- **“HFC Transition in the Grocery Industry: An Updated Assessment”** | *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 Cameron Meakin (June 2025)
- **“Value of Lost Load Study for the ERCOT Region”** | Project No. 55837 | Public Utility Commission of Texas | Regulatory Report, with Sanem Sergici (August 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 Faruqui (September 2013)

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## 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 to homeowners impacted by flooding following dam failures
- Estimated property diminution for a class of homeowners due to groundwater contamination from PFAS
- Led a review of outstanding environmental liabilities across many sites in the context of bankruptcy proceedings
- 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

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## ARTICLES & PUBLICATIONS

### PUBLICATIONS

- "Assessing the Mechanisms Underlying Property Diminution Damages," with Stephanie Biehl, *Natural Resources & Environment*, ABA Section on Environment, Energy, and Resources (2024)
- "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 Award, Economics Category
- "Broken or Fixed Effects?" with Juan Carlos Suárez Serrato and Mike Urbancic, *Journal of Econometric Methods* 8(1) (2018)

### WHITE PAPERS

- "Initial Assessment of the Newport Beach Nexus Study" (December 2024)
- "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 Faruqui (July 2014)

## IN PROGRESS

- “Natural Resource Damages from Fishing Site Impairments: Evidence from a Repeated Cross Section of New York Anglers,” with David Sunding, *Land Economics* (accepted for publication)

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## 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

- Cherokee National Holiday ‘Gadugi—Unity Through Generations’ Award, Cherokee Nation
- Antitrust Paper of the Year, Economics Category, *Concurrences*
- Outstanding Antitrust Litigation Achievement in Economics, American Antitrust Institute
- Litigation of the Year Award (Cartel Prosecution), *Global Competition Review*
- 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

- Vice Chair for PFAS, Water Quality and Wetlands Committee, Section of Environment, Energy, and Resources, American Bar Association
- 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