

## KRISTOF ZETENYI, PH.D.

### Vice President

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Dr. Zetenyi specializes in applying microeconomics, econometrics, and statistical methods to complex litigation and non-litigation matters in the areas of antitrust and competition, class certification, and policy evaluation. Dr. Zetenyi has worked on a number of high-profile mergers and acquisitions, including *IQVIA / Propel Media*, *Penguin Random House / Simon & Schuster*, and *Deere / Precision Planting*. Outside of mergers and acquisitions, he has extensive experience applying antitrust economics across a variety of industries such as health insurance, air travel, app distribution, ridesharing, and newspapers. He led an Analysis Group team that was recognized by *Global Competition Review's* (GCR's) 2022 antitrust awards for its work on *Epic Games, Inc. v. Apple, Inc.*, which was awarded "Matter of the Year" and "Litigation of the Year – Non-cartel Defence." Dr. Zetenyi's antitrust research has been published in *The Antitrust Bulletin*, *Concurrences*, and the *Antitrust Chronicle*, and he serves as vice chair of the Economics Committee of the American Bar Association (ABA) Antitrust Law Section. As an expert witness, Dr. Zetenyi has provided expert economic testimony analyzing data related to the removal, storage, and disposal of unhoused residents' personal property during the cleanups of unhoused residents' encampments pursuant to the Los Angeles Municipal Code 56.11.

### EDUCATION

2014            Ph.D., economics, University of Rochester  
2011            M.A., economics, University of Rochester  
2009            B.S., mathematics and economics (*summa cum laude*, *Phi Beta Kappa*),  
University of Richmond

### PROFESSIONAL EXPERIENCE

2014–Present    **Analysis Group, Inc.**  
*Vice President*

2011–2014      **University of Rochester**  
*Lecturer, Teaching Assistant*  
Courses taught: *Principles of Economics (undergraduate)*, *Industrial Organization (undergraduate)*, *Intermediate Microeconomics (undergraduate)*

2012–2013      **Simon School of Business, University of Rochester**  
*Teaching Assistant*  
Courses taught: *Economics, Marketing and Strategy Primer for Entrepreneurs (M.A.)*;  
*Database Marketing (M.B.A.)*

## EXPERT WITNESS ENGAGEMENTS

- ***Janet Garcia, et al. v. City of Los Angeles***  
Testified at deposition on behalf of the plaintiffs about the analysis of the removal, storage, and disposal of unhoused residents' personal property during their encampment cleanups pursuant to Los Angeles Municipal Code 56.11.

## SELECTED ANTITRUST AND COMPETITION CONSULTING EXPERIENCE

- ***FTC v. IQVIA Holdings Inc. and Propel Media Inc.***  
Supported the defendants' testifying expert Anupam Bapu Jena through expert report filing and trial testimony to opine on the role of digital advertising to health care providers and the widespread availability of health care data sources that are used in health care professional (HCP) programmatic advertising.
- ***USA v. Penguin Random House, LLC, and Simon & Schuster, Inc.***  
Supported the defendants' testifying expert Edward A. Snyder through multiple expert report filings and trial testimony to opine on the potential competitive effects of the proposed acquisition of Simon & Schuster by Penguin Random House.
- ***Epic Games, Inc. v. Apple Inc.***  
Supported the defendant's testifying expert Richard Schmalensee through multiple expert report filings and trial testimony to opine on the economics of two-sided platforms, and their impact on the assessment of market definition, market power, and competitive effects.
- ***Antitrust class actions in the app marketplace industry***  
Supported the defendant's expert to analyze the economics of two-sided platforms and their importance to questions of antitrust market definition, market power, and competitive effects in the context of class certification.
- ***In re: Blue Cross Blue Shield Antitrust Litigation***  
Supported the provider plaintiff's expert to evaluate issues related to liability, including market definition, market power, and the assessment of harm to health care providers in Alabama.
- ***Confidential buyer market power matter***  
Supported an expert in assessing allegations of monopsony claims in the agricultural industry.
- ***In re: Transpacific Passenger Air Transportation Antitrust Litigation***  
Supported the defendants' expert to address issues related to class certification.
- ***US Department of Justice's (DOJ's) evaluation of John Deere's acquisition of Precision Planting***  
Supported the DOJ's expert to develop relevant antitrust market definition and assess competitive effects and implications of the proposed acquisition.
- ***Canadian Competition Bureau re: Postmedia's acquisition of Sun Media***  
Supported an expert from the Mergers and Monopolistic Practices Branch of Canada's Competition Bureau to assess Postmedia's proposed acquisition of Sun Media.
- ***In re: Optical Disk Drive Antitrust Litigation***  
Supported the joint defense group's damages expert in multidistrict price-fixing litigation to assess damages to a class of US direct and indirect purchasers.
- ***Mexican Competition Commission's investigation of slot allocation at Mexico City Airport***  
Performed analysis of the Mexican aviation industry, including analysis of prices for domestic air

travel in Mexico, for a white paper submitted to Mexico's competition authority, the Federal Economic Competition Commission (COFECE), in 2014.

- ***Antitrust class action in the software industry***  
Developed an affirmative damages analysis in a case involving allegations of the defendant overcharging consumers for its software product.

#### **OTHER SELECTED CONSULTING EXPERIENCE**

- ***Multiple cases involving allegations of driver misclassification by ridesharing companies***  
On behalf of a ridesharing company, supported an expert in the preparation of expert reports on the platform business model and potential impact of reclassification.
- ***Tri-City LLC, et al. (Lyft) v. New York City Taxi and Limousine Commission***  
Supported an expert in analyzing the effects of the driver minimum-pay rule on drivers and passengers.
- ***Evaluation of Australia's Tobacco Plain Packaging Act before the World Trade Organization***  
Supported the Commonwealth of Australia's expert to analyze the effect of Australia's Tobacco Plain Packaging Act on smoking prevalence.
- ***Odyssey Wireless v. Motorola Mobility LLC, et al.***  
Supported the defendants' expert to assess customers' willingness to pay for certain cellular features pertaining to patent infringement allegations.
- ***Ageas shareholder litigation before the Tribunal de Commerce de Bruxelles***  
Supported an expert in the assessment of the reasonableness of settlement terms in a securities class action involving a Belgian financial company.
- ***Class action litigation matters regarding front-loading washing machines***  
Supported an expert for the plaintiffs in class action litigation matters against several manufacturers of front-loading washing machines to estimate damages due to alleged product defects.

#### **PUBLICATIONS AND WORKING PAPERS**

*Assessment of Economic Costs of Imposing Abuse of Dominance Standards*, with Eliana Garces and Big Banterngansa, *Computer & Communications Industry Association*, May 2024

*Data in the Digital Economy: the "Anti-Hero" of Antitrust or Just "Bad Reputation?"* with Dheeraj Chaudhary, *Antitrust Chronicle – Economics of Data*, Volume 1, February 2024

*Concurrences On-Topic: Global Merger Control and Digital Platforms*, with Rebecca Kirk Fair and Rebecca Scott, working paper, 2024

*Logit or Leave It?* with Tom Beckford, working paper, 2024

*Geographic Market Definition in Commercial Health Insurer Matters: A Unified Approach for Merger Review, Monopolization Claims, and Monopsonization Claims*, with Deborah Haas-Wilson and Brian Gorin, *The Antitrust Bulletin*, Volume 68, Issue 3, September 2023

*Efficiencies in the Second-score Auction Model*, with Big Banterngansa and Maria Eugenia Garibotti, *Concurrences* N° 2-2023, Art. N° 112602, May 2023

*Vehicle Upsizing Under the New CAFE Standard? An Application of Endogenous Characteristics Choice with Fixed Costs*, working paper, 2014

## **PRESENTATIONS & SPEAKING ENGAGEMENTS**

“Failure to Communicate? Improving Expert Testimony,” ABA Antitrust Law Spring Meeting (April 10, 2024)

Guest Lecture on Topics in Antitrust Economics and Competition Policy, University of Southern California (February 27, 2024)

“DOJ-FTC Merger Guidelines: Final Version 2024,” webinar panelist, New York City Bar Association (February 12, 2024)

Guest Lecture on the Role of Industrial Organization in Antitrust Enforcement, University of Southern California (November 15, 2022)

Guest Lecture on Topics in Antitrust and Competition, University of Southern California (April 26, 2022)

“Class Action Litigation: Demystifying Trends, Developments, and Best Defense Strategies,” webinar panelist, The Knowledge Group (February 9, 2022)

“How to Effectively Use Statistical Sampling in Class Action Litigation: Tips and Strategies in 2019,” webinar panelist, The Knowledge Group (December 13, 2018)

## **PROFESSIONAL AFFILIATIONS**

American Bar Association (ABA)

*Vice-Chair of the ABA Antitrust Law Section, Economics Committee for the 2023–2024 ABA year*

*Young Economist Representative of the ABA Antitrust Law Section, Programs and Teleseminars for the 2022–2023 ABA year*

*Young Economist Representative of the ABA Antitrust Law Section, Advisory Board of Section Reserves for the 2021–2022 ABA year*

American Economic Association

*Member*

## **AWARDS AND FELLOWSHIPS**

2009–2014 Graduate Fellowship, University of Rochester

2009 Robert L. Taylor Award for Excellence in Economics, for achieving the highest GPA among graduating economics majors, University of Richmond

2005–2009 Richmond Scholar, University of Richmond

## **LANGUAGES**

English (fluent), Hungarian (native), Romanian (proficient), Spanish (beginner)