



John E. Altstadt

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Summary of Qualifications

John E. Altstadt specializes in assisting attorneys and their clients in summarizing economic, financial and accounting data to litigation matters and providing expert testimony. Mr. Altstadt has practiced in the fields of accounting and consulting for over thirty-three years. During that period, he has specialized in providing services to the real estate and construction industries. Mr. Altstadt has provided a variety of services including audit, review and compilations; corporate and individual tax planning and compliance work; and various consulting engagements such as buy/sell analysis and loan restructuring. In the specialized practice area of dispute consulting, Mr. Altstadt has provided a variety of services including expert witness testimony, business valuation, forensic accounting, fraud investigations, lost profits and lost earnings analysis, damage assessment and evaluation, liability analysis and pre-trial discovery assistance.

Experience

May 1998 to Present – Co-Owner – Altstadt Consulting

May 1998 to June 2006 - Co-Founder and Partner - Lit.Econ LLP

October 1996 to May 1998-Senior Manager, Dispute Consulting Services, Deloitte & Touche LLP, Costa Mesa, California

May 1995 to October 1996-Senior Manager, Dispute Analysis and Corporate Recovery, Price Waterhouse LLP, Costa Mesa, California

August 1986 to May 1995-Various managerial positions in the audit and litigation services groups of KPMG Peat Marwick, Costa Mesa, California

June 1980 to August 1986-Various staff positions, Parke, Guptill & Co., C.P.A.s, Newport Beach and West Covina, California

Education

Bachelor of Arts degree in business administration with an emphasis in accounting, California State University at Fullerton, June 1980

Volunteer Experience

President, Constitutional Rights Foundation of Orange County
Treasurer, Public Law Center of Orange County
Committee Chair, Orange County Bar Association
President, Supporting Cast of South Coast Repertory Theater
Board Member, Center 500 of Orange County Performing Arts Center

Memberships

Association of Business Trial Lawyers – Associate Member
Orange County Trial Lawyers – Associate Member

Selected Testimony

MacPherson Properties. v. Rangs Automotive (Jim Ferruzzo-Ferruzzo & Ferruzzo) Mr. Altstadt provided an expert declaration related to cost overruns on behalf of the plaintiff in a construction defect matter.

Stanley Bloom v. Huntington Beach Redevelopment Agency (Jack Fleming-Arter & Hadden) Mr. Altstadt provided an expert deposition in a AAA arbitration on behalf of the defendant in a breach of contract matter. Analysis included assessing potential costs of development on Huntington Beach pier.

Eiko Uyeda v. KJI, Inc. et al. (Thomas Borchard-Borchard & Baur) Mr. Altstadt testified as an expert witness in Superior Court (Santa Ana, California) on behalf of the plaintiff in a breach of fiduciary duty matter. Analysis included assessing profit from custom home building.

Prime Time Companies, Inc. v. Arlington Avenue Church of the Nazarene (Steven Fink – Daehnke & Cruz) Mr. Altstadt testified as an expert witness before an AAA arbitrator on behalf of the plaintiff in a breach of contract matter. Analysis included evaluating additional costs from delays and alleged defective construction.

Thomas Tooma v. Charles House, et al. (Ralph Blakeney – Pillsbury Winthrop Shaw Pittman) Mr. Altstadt provided an expert deposition in Superior Court (San Bernardino, California) on behalf of the plaintiff in a breach of fiduciary duty matter. Analysis included evaluating costs of a development in San Bernardino County and allegations of alter ego between partners.

CLP Resources v. ConWest Construction (John Samberg – Bisno, Samberg & Mulvaney) Mr. Altstadt provided an expert deposition in Superior Court (Phoenix, Arizona) on behalf of the plaintiff in a breach of contract matter. Analysis included assessing the rates and charges from an outside source provider to a large Phoenix construction company for various types of skilled workers.

In Re: IRMO Feldman (Various) Mr. Altstadt acted as the court appointed appraiser in a divorce matter in San Diego County. The project included the valuation of several real properties including commercial office buildings, raw land, residential property, a marina and a golf course. Mr. Altstadt provided testimony in San Diego Family Court.

George Seldin v. IMS Leasing, Inc., et al. (Scott Heil – Redwine & Sherrill) Mr. Altstadt provided an expert deposition in an arbitration on behalf of the defendant in a breach of contract matter. Analysis involved assessing and quantifying costs to remediate mold in an industrial building versus costs to remodel and bring building up to A.D.A. standards.

ECCO Equipment Corp. v. Central Valley Construction, Inc. (Jack Fleming – Musick, Peeler & Garrett) Mr. Altstadt provided a Rule 26 expert report in United States District Court (Los Angeles) on behalf of the cross-complainants in a breach of contract matter. Analysis included amounts owed under a subcontract and assessment of commingling of funds and alter ego issues.

David Jackson v. Trans Union Company (Donald Bradley – Musick, Peeler & Garrett) Mr. Altstadt provided a Rule 26 expert report in United States District Court (Oregon) on behalf of the defendant in a breach of contract case involving loss of a line of credit by a commercial tile supplier.

Pacific National Development v. USF&G, et al. (Michael Williams – Connor, Fletcher & Williams) Mr. Altstadt provided an expert deposition in Superior Court (Santa Ana) on behalf of the plaintiff in a breach of contract case. Analysis involved quantifying the damages suffered by a syndicator of real estate developments involved low income housing tax credits.

In Re: Carl Burger Estate (Charles Harris – Harris & Collins) Mr. Altstadt prepared a written valuation report of the dealership property underlying the Dodge franchise in La Mesa, California for estate tax purposes.

Powerhouse Motorsports, Inc. v. Yamaha Motor Corporation (Maurice Sanchez – Baker Hostetler) Mr. Altstadt testified as an expert in Superior Court (San Luis Obispo County) on behalf of the defendant in a matter involving alleged interference with a business opportunity. Analysis involved assessing a 69,000 sq. foot piece of commercial property in Paso Robles, California including assessing market values, estimated sales prices and lease rates.

Todd Construction Services v. Bake R Us (Richard Soll – Mahoney & Soll) Mr. Altstadt provided an expert deposition in Superior Court (Los Angeles) on behalf of the plaintiff in a breach of contract matter. Analysis included evaluating claims of lost business and profits due to various alleged construction defects.

Ocean Mission Park LLC v. Taheripour, et al. (Matthew Rips – Russ, August & Kabat) Mr. Altstadt testified in Superior Court (Los Angeles) on behalf of the plaintiff in a breach of contract matter. Matter involved the purchase of a \$6.5 million property in Lancaster, California underlying three automobile franchises. Additionally, Mr. Altstadt testified at the second phase of the trial involving damages.

Association of California Water Agencies Joint Powers Insurance Authority, et al. v. The Insurance Company of the State of Pennsylvania, et al. (Steven Rice – Crowell & Moring) Mr. Altstadt provided a Rule 26 report and deposition in U.S. District Court (Central District of California) on behalf of the defendants in a Complaint-in-Intervention for Damages matter. Subject matter related to real and personal property losses from a wildfire.

In Re: Athena Investment Group (Roger Hsu – Law Offices of Roger Hsu) Mr. Altstadt provided a written valuation report of this real estate holding partnership for shareholder sale purposes. The partnership owns commercial property in Irvine, CA.

Salhotra v. Shah (Jess Bressi – McKenna Long & Aldridge) Mr. Altstadt testified in a JAMS arbitration on behalf of the defendant in a breach of fiduciary duty matter. Our services included a complete accounting of a \$10 million mixed use commercial property development in Yucca Valley, CA.

Selected Consulting Engagements

In Re: State of Arizona (Arizona State Attorney General's Office) Mr. Altstadt led the project to analyze cost overruns at the development of the first nuclear waste facility in the State of Arizona.

McDowell v. Lemont Financial (Tom Newmeyer – Newmeyer & Dillion) Mr. Altstadt critiqued the cost claim of a grading contractor related to a single family residential development in San Diego County

M.J. Brock & Son's v. J.P. Rhodes Development (Andra Greene – Irell & Manella) Mr. Altstadt quantified the lost value of a residential housing development due to the inability to build because of soil conditions.

Geoff Fearn's v. Baldwin Builders (Ralph Blakeney – Pillsbury Madison & Sutro) Mr. Altstadt quantified the damages suffered by one of the executives of Baldwin Builders from the loss of compensation resulting from profits of three large residential projects.

Urbatech Development v. the City of Whittier Redevelopment Agency (John Condas – Jackson DeMarco) Mr. Altstadt quantified the damages suffered by a contractor resulting in changes in the tax laws by the city.

California Pizza Kitchen v. R.D. Olson & Co. (Gibson, Dunn & Crutcher) Mr. Altstadt analyzed the owner's allegations of improper allocation of costs by the developer to the construction of over 30 restaurants.

In Re: Solemint Heights (Paul, Hastings, Janofsky & Walker) Mr. Altstadt evaluated the financial, economic and market assumptions made by the debtor related to an apartment complex in Santa Clarita, California

Kajima Engineering v. Various Defendants (Randall Erickson – Crowell & Moring) Mr. Altstadt analyzed the costs charged to the project to retrofit several prisons in California.

Garcia Masonry v. Kajima Engineering (Randall Erickson – Crowell & Moring) Mr. Altstadt analyzed and critiqued the damage claims of a subcontractor against the general contractor in a prison retrofit.

Viera, et al. v. Ward, et al. (Theodore Wallace – Rutan & Tucker) Mr. Altstadt analyzed the financial accounting, rehabilitation costs and operations of two Orange County apartment complexes on behalf of the defendant in a breach of fiduciary duty matter. An expert report was provided.

In Re: Ted Shelton & Associates LLC (William H. Brownstein – Brownstein & Associates) Mr. Altstadt analyzed loan balances and interest reserves on a promissory note for a commercial property owner in bankruptcy.

Nevada Atlantic Corp. v. WREC Lido Venture (Todd Green - Green LLP) Mr. Altstadt analyzed the damage claims of the plaintiff in a breach of commercial lease matter related to a restaurant in Newport Beach.

Armen Melkonians v. Porsche Financial Services (Kevin Colton – Baker Hostetler) Mr. Altstadt provided various analyses in a matter of alleged interference with a business opportunity. Analyses included critiquing damage claims, analyzing construction costs and assessing real estate markets for a \$5 million home in Bel Air, California.

Mills v. Reeves (Eoin Kreditor – Freidman, Stroffe & Gerard) Mr. Altstadt performed a complete accounting of an \$8 million custom spec home project in Shady Canyon, California. Additionally he analyzed the sales market and comparable valuations in the area at the time of the home's sale in early 2010.

Amerivest Equities v. Ticor Title Company (Eoin Kreditor – Friedman, Stroffe & Gerard) Mr. Altstadt quantified the damages of a custom duplex construction project in Corona Del Mar, California. Additionally he analyzed the sales market for the project, the comparable valuations in the area and the loss in value due to stigma damages.

Bonni v. Rafipour, et al. (Eric Arevalo – Schumann, Rallo & Rosenberg) Mr. Altstadt provided consulting services to the plaintiff on issues related to a failed investment in a proposed condominium project in San Clemente, California. Services included analyzing financial data of the project and other entities in an effort to locate missing funds and potentially prove alter ego against the defendants.

Publications

Chapter entitled “Accounting and Financial Reporting Matters” in the book entitled *Environmental Remediation Contracting* edited by Randall L. Erickson, John Wiley & Sons, 1993