



COMMERCIAL DISPUTES

DISPUTES AND INVESTIGATIONS

Chess's experts consult and testify on the value and reliability of economic damages assessments in federal and state courts and in other forums. We convey highly technical and complex concepts in straightforward and understandable terms. We apply our problem solving skills and deep industry knowledge in civil and criminal disputes, regulatory proceedings, and other types of disputes.

Lost Profits and Excess Costs

- Dealer/Franchises: Analyzed profit projections for sales of construction equipment, trucks, PCs, lifts/aerial work platforms, limousine service, pre-paid calling cards, earth moving equipment, and autos.
- Provision of Utilities: Critiqued claims of lost profits and excess costs due to a breach of a contract to sell a steam boiler and buy back heat, electricity, water, and sewer services served by the boiler and associated network.
- Medical Devices: Contract and tortious interference claims involving the alleged wrongful recruitment of several sales representatives from plaintiff's firm.
- Maternity Services: Critiqued lost profits claim for a neonatology practice denied privileges at a hospital.
- Modular apartment construction: Estimated construction expenditures and lost rents associated with the repair/ replacement of termite-damaged units in Florida.
- Propane Storage Facility: Critiqued claims of lost profits and cost overruns associated with delays incurred during construction of a propane storage facility in Illinois.
- Design/Development Contracts: Critiqued claims of lost profits and unrecovered fixed costs owing to alleged breaches of design and development contracts involving diesel engines and uninterruptible power supplies.

- Manufacturing: Calculated the financial impact arising from the manufacturing cost savings that a company was promised, but did not realize, from a move to a new facility. Also calculated lost profits associated with bids lost due to the resulting manufacturing cost increases.
- Lot Inspections: Critiqued a statistical analysis of lot inspections performed pursuant to a federal government procurement contract to assess claims of a wrongful termination.
- Non-compete Agreement: Critiqued a damages estimate attributable to the violation of a non-compete agreement of a former employee of retail flooring manufacturer and distributor who started a competing business.
- Cost Impacts of Supply Contract Breach: Analyzed a claim for labor costs incurred by a vendor terminated by the government due to “vendor-caused problems” caused by its key supplier. Evaluated the proffered proof of the vendor’s problem-remediation efforts, including its time recording, hourly labor costs, and overtime estimates.
- Most Favored Nation Pricing: Evaluated adherence by a regional air carrier to the “most favored nation” pricing provisions in its agreement with one major airline relative to its other major airline agreements.
- Cost Reimbursement Claim: Calculated amounts owed to a regional carrier by a major airline due to irregular operations (IROP) such as delays and cancellations beyond the control of the regional carrier.
- Cost Overruns: Quantified additional costs incurred for the design and construction of an Embassy Compound in Port-Au-Prince, Haiti, due to changes in scope.
- Business Termination: Calculated lost profits and direct costs resulting from a helicopter accident for a business that ran a passenger air ferry service, including a proposed expansion foreclosed by the accident.

SERVICE LINE CONTACTS:

Rodney Bosco, *Director*
David Ottenbreit, *Director*

CHESS

CONSULTING LLC

11710 Plaza America Drive, Suite 800, Reston, Virginia 20190
(703) 796-2850 | www.ChessConsultingLLC.com

When the right move matters, contact Chess Consulting.