

John E. Altstadt
Altstadt Consulting

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Summary of Qualifications

John E. Altstadt specializes in assisting attorneys and their clients in summarizing economic, financial and accounting data related to litigation matters and providing expert testimony. Mr. Altstadt has practiced in the fields of accounting and consulting for over twenty-eight years. During that period, he has specialized in providing services to the automotive industry. His clients have included manufacturers and distributors, retail dealerships, captive finance companies and individual dealers. 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, damage assessment and evaluation, 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, 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

In Re: Honda Santa Ana (Various attorneys) Mr. Altstadt acted as a third party independent mediator in this claim by a Honda dealership against its insurance carriers.

Toyota of Visalia, Inc. v. Toyota Motor Distributors, Inc. (Robert Ebe - McCutcheon Doyle Brown & Enersen) Mr. Altstadt testified as an expert before the California New Motor Vehicle Board on behalf of the respondent in a franchise termination dispute.

Quaid Automotive, Inc. v. Mitsubishi Motor-Sales of America, Inc. (Elizabeth Grimes - Gibson Dunn & Crutcher) Mr. Altstadt provided an expert deposition on behalf of the respondent in a franchise termination dispute.

American Eagle Wheel Corporation v. American Racing Equipment, Inc. (Cynthia Schaldenbrand - Freeburg, Judy & Nettels) Mr. Altstadt provided an expert report in United States District Court (Santa Ana, California) on behalf of the defendant in a patent infringement matter.

Kemp v. Mazda Motor of America, Inc. (Job Taylor - Latham & Watkins) Mr. Altstadt testified as an expert in State Supreme Court (Long Island, New York) on behalf of the defendant in a breach of contract matter.

Doris Weiss v. Kramer Motors, Inc. (Margaret Henry - Henry & Tenner) Mr. Altstadt testified as an expert in Superior Court (Santa Monica, California) on behalf of the defendant in a discrimination matter.

Irvine Central Motors, Inc. v. Mazda Motor of America, Inc. (Maurice Sanchez - Alvarado, Smith, Villa & Sanchez) Mr. Altstadt testified before the California New Motor Vehicle Board on behalf of the respondent in a franchise protest matter.

Romero Corp. v. Liebman, Reiner (Paul Mahoney-Jones, Mahoney, Brayton & Soll) Mr. Altstadt provided an expert deposition on behalf of the plaintiff in a legal malpractice matter.

Presley Wilkes v. Barbara Hill (Mitchell Shapiro - Shapiro, Posell, Rosendfeld & Close) Mr. Altstadt testified as an expert in Superior Court (San Bernardino County, California) on behalf of the plaintiff in a breach of contract matter.

MacPherson Properties v. Rang's Automotive (Jim Ferruzzo - Ferruzzo & Ferruzzo) Mr. Altstadt provided an expert declaration on behalf of the plaintiff in a construction defect matter.

William Karges v. Dellis Montell (Harold Light - Law Offices of Harold J. Light) Mr. Altstadt testified as an expert in Superior Court (Los Angeles, California) on behalf of the defendant in a breach of fiduciary duty matter involving the Santa Monica BMW dealership.

Michael Treadway v. Steven Hiller, et al. (Stan Jones - Law Offices of Stanely R. Jones) Mr. Altstadt testified as an expert in a JAMS arbitration on behalf of the plaintiff in a breach of fiduciary matter. Testimony included an opinion of the value of an Orange County Lexus dealership.

Aircraft and Boat Leasing v. Advantage Loma Linda LLC, et al. (David Werner - Stream & Stream) Mr. Altstadt testified in a AAA arbitration on behalf of the plaintiff in a breach of contract matter.

Mazda Motor of America, Inc. v. David J. Phillips Mazda (Maurice Sanchez – Alvarado, Smith & Sanchez) Mr. Altstadt testified as an expert in Superior Court (Orange County, California) on behalf of the plaintiff in a breach of contract matter.

Rockville Harley-Davidson, Inc. v. Harley-Davidson Motor Company (Brad Weiss – Charapp & Weiss) Mr. Altstadt testified as an expert witness before the Maryland Office of Administrative Hearings on behalf of the plaintiff in a breach of contract matter.

James Barker v. David J. Wilson, et al. (Stuart Jasper – Jasper & Jasper) Mr. Altstadt testified as an expert witness in a JAMS arbitration on behalf of the plaintiff in a breach of contract matter.

American Isuzu Motors v. Ray Fladeboe, et al. (James Mulcahy – The Mulcahy Law Firm) Mr. Altstadt testified as an expert witness in Superior Court (Orange County, California) on behalf of the plaintiff in a trademark infringement matter. Additionally, Mr. Altstadt provided an expert report in a separate matter in United States District Court (Los Angeles)

S&C Kia v. Kia Motors America (Maurice Sanchez – Adorno, Yoss, et al.) Mr. Altstadt testified before the California New Motor Vehicle Board on behalf of the respondent in a franchise termination matter.

Cascade Motorsports of Oregon v. American Suzuki Motor Corporation (James Mulcahy – The Mulcahy Law Firm) Mr. Altstadt provided an expert report in United States District Court (District of Oregon) on behalf of the defendant in a franchise termination matter.

National Business Brokers v. Hooman Nissani (Christopher Reeder – Sheppard Mullin Richter & Hampton) Mr. Altstadt provided an expert deposition in Superior Court (Orange County, California) on behalf of the defendant in a breach of contract case.

In Re: IRMO Feldman (Several) Mr. Altstadt was the court appointed third party appraiser in a divorce matter in San Diego County. The appraisal included eight automobile franchises in San Diego and Mexico. Trial testimony was provided.

U.S. Bank v. Downtown Automotive Group, et al. (Greg E. Montgomery - Miller Nash) Mr. Altstadt provided an expert deposition in Superior court (King County, Washington) on behalf of the plaintiff in a breach of contract matter involving a Seattle area Nissan dealership.

Hooman Nissani v. Long Beach Motors (Christopher Reeder – Sheppard, Mullin, Richter & Hampton) Mr. Altstadt provided an expert deposition in Superior Court (Los Angeles) on behalf of the plaintiff in a breach of contract case.

Selected Consulting Engagements

In Re: Grand Chevrolet (Peter White - Manning, Leaver, Bruder & Berberich) Mr. Altstadt managed an engagement to track \$13 million worth of cash collateral of this dealership in bankruptcy.

Howard Schneider v. Gary Winnick, et al. (Seed, Mackall, Nida & Cole) Mr. Altstadt analyzed the proposed operations of a large Santa Barbara dealer group for purposes of debt restructuring.

CAMT, Inc. v. Merle Yost (Robert Currie - Latham & Watkins) Mr. Altstadt analyzed the damages claimed by a minority shareholder in an Orange County Toyota dealership.

Infiniti Division of Nissan Motor Corp in USA v. Meier, et al. (Maurice Guinn -Gentry, Tipton, et al.) Mr. Altstadt analyzed the operations of this Knoxville, TN dealership in a breach of contract matter.

Toyota Motor Distributors, Inc. v. Mike Harvey Toyota (Elizabeth Grimes -Gibson, Dunn & Crutcher) Mr. Altstadt analyzed the operations of this dealership during its Chapter 11 bankruptcy for plan confirmation purposes.

Joe Conti Toyota v. Toyota Motor Sales of America (Merritt Spencer -Strasburger & Price) Mr. Altstadt analyzed the operations of this Texas dealership during its Chapter 11 bankruptcy for plan confirmation purposes.

In Re: Holmes Tuttle (Tom Ferruzzo - Ferruzzo & Ferruzzo) Mr. Altstadt performed a business interruption analysis on two dealerships to be closed for construction defect repairs.

Roger Hogan v. Tokai Credit Corp. (Steve Bloom - Frandzel & Share) Mr. Altstadt analyzed the profitability of a Nissan dealership operating in bankruptcy for plan confirmation purposes.

Roger Miller v. Dorothy Smith (David Ostrove - Ostrove & Ostrove) Mr. Altstadt evaluated the performance of a Southern California Honda dealership in a dispute between the buyer and seller of the franchise.

In Re: Tab Automotive Group (No Outside Attorney) Mr. Altstadt investigated allegations of embezzlement at an Oregon dealership on behalf of the owners.

In Re: MacHoward Leasing (Tom Ferruzzo - Ferruzzo & Ferruzzo) Mr. Altstadt evaluated certain accounting treatments related to the sale of this dealership group.

Whithorn v. Fritts Ford (Lee Sherman – Callahan, McCune & Willis) Mr. Altstadt evaluated various consumer lease issues in a consumer fraud matter.

Michael Smits v. Jim Lukens Mr. Altstadt quantified the value of the 10% interest of the minority shareholder in a Nissan dealership in a wrongful termination matter.

Orval Paul v. Timothy Valles (John Samberg – Bisno & Samberg) Mr. Altstadt evaluated the operations of a Southern California Nissan dealership in a breach of fiduciary duty matter.

In Re: Marriage of Robertson (Anne Kiley - Trope & Trope) Mr. Altstadt performed a valuation of two Southern California Honda dealerships for the respondent in a divorce matter.

Peter Levin v. Reseda Dodge (Robert Ahdoot – Ahdoot & Wolfson) Mr. Altstadt evaluated the finances of two Southern California Chrysler dealerships for punitive damages purposes in a consumer fraud matter.

American Honda Motor Co., Inc. v. Premier Quality Imports, Inc. (Anthony Rollo – McGlinchey Stafford) Mr. Altstadt performed an analysis of the operations of a Honda dealership in Louisiana as they related to the franchisor/franchisee relationship.

In Re: Parker Hannifin and Ford Motor Company (Robert Walker – Jones Day) Mr. Altstadt reviewed costs incurred by Ford Motor Company related to correcting for a defective seal provided by Parker. This involved visiting three Ford plants in the U.S.

Berkeley Honda Group v. Nielsen, et al. (Greg Simonian – Clapp Moroney, et al.) Mr. Altstadt provided services related to financial analysis and damages related to a misappropriation of trade secrets case involving a Honda dealership in Berkeley, California.

Selected Automotive Clients

Manufacturers, Distributors, Suppliers and Captive Finance Companies

Toyota Motor Distributors, Inc.
Mazda Motor of America, Inc.
Nissan Motor Corp in USA, Inc.
Mitsubishi Motor Sales of America, Inc.
General Motors Acceptance Corp.
Mazda American Credit Corp.
Kia Motors America
American Isuzu Motors
American Suzuki Motor Corporation
Parker Hannifin

Dealerships

General Motors

Penske Cadillac
Home Chevrolet
Rancho Motors
McLean Cadillac
Martin Cadillac
O'Donnell Buick
Saturn of Santa Ana
Crestview Cadillac
Thomas Cadillac
Guaranty Chevrolet
M.K. Smith Chevrolet
Grand Chevrolet
Hooman Pontiac - GMC – Buick

Ford

Wilson Ford
Board Ford
Campbell Ford
Carmenita Ford
Alameda Ford Truck Sales
Pacific Ford
Drew Ford
Center City Ford
Wondries Ford
Fritts Ford
Sunland Ford
Townsend Lincoln Mercury
North County Lincoln Mercury
Joe MacPherson Ford
Kearny Mesa Ford

Chrysler - Plymouth and Dodge

Carson Chrysler - Plymouth
Moothart Chrysler - Plymouth
McPeek Chrysler - Plymouth
Tuttle/Click Dodge
Reseda Dodge

Toyota

Longo Toyota
Puente Hills Toyota
Toyota of Visalia
Gem City Toyota
Wondries Toyota
Lexus of Mission Viejo
Earle Ike Toyota
Mike Harvey Toyota (Group)
Joe Conti Toyota
Toyota of Orange
Toyota of Chula Vista

Honda

Jim Slemons (Honda & Acura)
Penske Honda
Lodi Honda
Roger Miller Honda
Tustin Acura
Gardena Honda
Honda Santa Ana
Robertson Honda
Robertson Palmdale Honda
Honda of Scottsdale
Fladeboe Honda
Pacific Honda
Berkeley Honda
Long Beach Honda

Nissan

Airport Nissan
Santa Fe Springs Nissan
Campbell Nissan
Kearny Mesa Infiniti
North Seattle Nissan

Other

Nick Alexander BMW
Irvine Mazda
David J. Phillips Mazda
Advantage Jaguar
Jim Slemons Imports (MBZ)
Bob Lewis Porche - Audi
Hollywood Mercedes - Benz
Santa Monica BMW