



LANCE MORMAN MBA, CFE

EDUCATION

- B.B.A. Finance & Economics, Baylor University
- M.B.A., Baylor University

PROFESSIONAL CERTIFICATIONS

- Certified Fraud Examiner (CFE)
- Houston Intellectual Property Law Association (HIPLA)
- Turnaround Management Association (TMA)
- Licensing Executives Society (LES)

PROFESSIONAL ORGANIZATIONS

- Managing Director, WhitleyPenn (2024 – Present)
- VP / CFO / Co-Owner, Tandem LaMarr Trucking & Excavating, Inc. (2015-Present)
- Managing Director, OverMont Consulting LLC (2013-2015)
- Director, OverMont Consulting LLC (2009-2013)
- Managing Consultant, Navigant Consulting Inc. (2007-2009)
- Senior Consultant, CRA International, Inc. (2001-2007)

EXPERIENCE

As a Managing Director of Whitley Penn, Mr. Morman has extensive experience in consulting on business matters involving complex financial, accounting, and economic issues related to economic damages or business valuations. He has performed damage analyses that involve lost profits, reasonable royalties, price erosion, and diminution of business value and insolvency analyses. Mr. Morman has testified in a variety of litigation matters involving patent, trademark, and copyright infringement, breach of contract, business valuation, bankruptcy, fraud, and economic damages. He has testified on behalf of both plaintiffs and defendants in the analysis and determination of economic damages. Mr. Morman has also served as a guest lecturer at the University of Houston Law School and the University of St. Thomas Alumni Association covering damages under a variety of claims.

RANGE OF INDUSTRY EXPERIENCE

- Pharmaceuticals
- Oil & Gas
- Mining
- Oilfield Services
- Semiconductor
- Computer Hardware & Software
- Security Products
- Consumer Electronics
- Construction / Transportation
- Death Care Industry
- Professional Services
- Auto Tire Manufacturers
- Retail & Consumer Products
- Telecommunications Products
- Marine Stevedoring
- Trucking / Transportation
- Logistics
- Maritime
- Auto Manufacturers
- Construction Materials
- Medical Systems
- Banking
- Construction Aggregates
- Internet Services Providers
- Real Estate

RANGE OF BUSINESS EXPERIENCE

Intellectual Property

- Retained as damages expert in a patent infringement matter involving aramid fibers used in motorcycle grips. Analyses included review of the companies' licenses, third-party licenses, design-around alternatives, a detailed analysis of sales, costs, profits, and the calculation of reasonable royalties.
- Managed a patent infringement matter involving auto manufacturers incorporating portable audio players to an automobile sound system. Analyses included the preparation of an expert report and trial demonstratives related to reasonable royalty damages.
- Managed a patent infringement matter involving one of the largest semiconductor manufacturers in the world. The dispute involved the alleged infringement of patents covering various multimedia technologies embedded in microprocessors. Analyses included a review of the companies' licenses as compared to third-party licenses, design-around alternatives, a detailed analysis of the manufacturers sales, costs and profits, and the calculation of lost profits and reasonable royalties.
- Managed a patent infringement matter involving one of the largest biotechnology companies in the world. The dispute involved the alleged infringement of patents covering non-Hopkins lymphoma treatment. Analyses included reviewing and rebutting plaintiff's report and calculation of a reasonable royalty.
- Managed a misappropriation of trade secrets involving sulfur removal technology for gasoline refinery operations. Analyses included reviewing and rebutting plaintiff's report and calculation of alleged lost profits, reasonable royalties, and future damages.
- Managed a misappropriation of trade secrets matter involving a prime defense contractor and a subcontractor. The dispute involved the alleged misappropriation of certain trade secrets relating to gimbal technology. Analyses included review of the value of the purported trade secrets, lost profits, unjust enrichment including disgorgement of profits, avoided costs, and head start advantages, plus reasonable royalties. Analyses also included rebuttal of the opposing expert's report and opinions.

Breach of Contract/Fraud

- Retained as damages expert in a breach of contract matter between a large enterprise data service center and an infrastructure solutions provider. Analysis included the quantification of lost profits damages.
- Retained as damages expert in a tortious interference matter between two stevedoring service companies. Analyses including rebuttal of damages expert and the quantification of lost profits damages.
- Managed a breach of contract matter between a large oil company and ATM service provider. Analyses included rebuttal of multiple experts and the quantification of lost profits damages.
- Managed a breach of contract matter between a large casket manufacturer and several independent distributors. Analyses included quantification of lost profits for breach of contract, tortious interference and unfair competition and included rebuttal of multiple experts' methodologies.
- Managed a breach of contract matter between a large regional sports network and two professional sports teams. Analyses included industry research, valuation of media rights, relevant license agreements, competitive benchmarks, and calculation of contract default damages.

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Valuation

- Managed a valuation of a U.S. subsidiary of a global automobile tire manufacturer. Conducted financial analysis on behalf of a minority shareholder for a potential additional investment of capital. Analyses included reviewing industry trends, company profitability, inter-company transactions, competitor financial performance and recent industry mergers. Assignment led to litigation, where deposition testimony was given.
- Managed a valuation and solvency engagement of one of the largest internet service providers. Analyses included evaluating the methodologies employed by the plaintiff's expert regarding the valuation, solvency analysis and estimation of alleged damages suffered by the plaintiff.
- Managed a valuation and solvency analysis related to a fraudulent conveyance action of an investment holding company with commercial real estate properties. Analyses included investigation of the books and records and preparation of a reorganization plan.

International Arbitration

- Managed a Bilateral Investment Treaty Dispute regarding the evaluation of the cost structure of a gold mining company and the impact of windfall tax legislation on the company. Specifically, we were asked to quantify the cost per ounce of gold mined, benchmark these cost measures with other gold mining operations and assess whether Mongolia's windfall tax would make it uneconomic for claimant to continue to mine gold.
- Managed a breach of contract matter regarding a valuation of claimant's damages allegedly suffered as a result of being denied the right to fully participate in the co-development of a natural gas field in Ukraine.
- Managed a Bilateral Investment Treaty Dispute regarding the valuation of oil & gas assets held in Ecuador and the impact of windfall tax legislation on the company. Specifically, we were asked to quantify the losses sustained by claimant due to the passage of a law which significantly reduced the profitability of oil production activities in the Republic of Ecuador.

Consulting Projects

- Managed a team regarding the world's leading provider of software and systems enabling converged billing and active customer management solutions provider regarding the delay in filing its periodic financial reports. The analysis included the evaluation of application of generally accepted accounting principles in connection with the recognition of revenue, including the assessment of vendor specific objective evidence.
- Assisted potential licensors with licensing analyses, including market research and analyses of royalty rates.
- Assisted private company in its annual financial impact related to the impairment analysis of SFAS 141/142.

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SPEECHES/PUBLICATIONS

- “Overview of Trade Secret Damages” University of Houston Law Center, November 6, 2024
- “Trademark Damages” University of Houston Law Center, April 2024
- “Economic Damages in Trade Secrets Litigation” University of Houston Law School, April 15, 2014.
- “Business Valuation in Litigation & Bankruptcy” University of ST. Thomas Alumni Association, May 21, 2013.
- “Economic Damages in Trademark Litigation” University of Houston Law School, November 20, 2012.
- “Trade Secret – Value and Damages Considerations” Littler Mendelson, P.C., October 17, 2012.
- “Trade Secret – Value and Damages Considerations” Houston Intellectual Property Law Association, September 6, 2012.
- “Trade Secret and Trademark – Value and Damages Considerations” Houston CPA Chapter, August 23, 2012.
- “Economic Damages in Trade Secrets Litigation” University of Houston Law School, April 4, 2012.
- “Economic Damages in Trademark Litigation” University of Houston Law School, November 8, 2011.
- “Determination of Post Judgment Royalties and Damages Issues from Uniloc” co-presented CLE program at Locke Lord Bissell & Liddell, May 2011.
- “Update on Damages after Lucent and ResQNet” co-presented CLE program at Wong, Cabello, Lutsch, Rutherford & Brucculeri L.L.P., April 2011.
- “Economic Damages in Trademark Litigation” co-presented at the University of Houston Law School, November 2010.
- “Post Lucent Damages” Spring 2010 Multiple Law firms.
- “Overview of Intellectual Property Damages” co-presented at The Intellectual Property and Information Law Institute’s Intellectual Property for the General Attorney, University of Houston Law School, August 2008.
- “Overview of Intellectual Property Damages in the United States” les Nouvelles, December 2008.
- “Trade Secret – Value and Damages Considerations” Houston Intellectual Property Law Association, September 6, 2012
- “Financial Statement Analysis – Accounting for Lawyers” Locke Lord, LLP, July 2012
- “Economic Damages in Trade Secret Litigation” University of Houston Law Center, April 2012
- “Economic Damages and Trademark Litigation” University of Houston Law Center, November 2010
- “Post Lucent Damages” Multiple Law firms, Spring 2010
- “Proving Commercial Damages: Lost Profits versus Lost Value,” Presentation Litigation and Trial Tactics Conference, University of Houston Law Foundation, December 2008

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