

TED HAWKINS, CPA



PricewaterhouseCoopers LLP
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Position:

Mr. Hawkins is a Partner in the Dispute Analysis and Investigations, a division of PricewaterhouseCoopers Advisory Services Group specializing in corporate investigations and commercial disputes, and resides in Chicago.

Education/Professional Credentials:

Bachelor of Business in Accounting, University of Notre Dame, 1977
Certified Public Accountant
Georgia Society of CPAs
Illinois Society of CPAs
American Institute of Certified Public Accounts

Experience:

Mr. Hawkins has approximately twenty-nine years of experience providing business and financial advice to clients operating in a wide range of industries. Additionally, Mr. Hawkins has provided consulting services in connection with corporate investigations commercial disputes, post acquisition disputes, consumer disputes, environmental matters, product liability and security transactions and, from time to time, expert testimony in federal and state courts, arbitration and mediation.

Relevant Experience:

Mr. Hawkins has a broad background in forensic investigations of financial and economic matters and has done extensive work in financial analysis related to disputes. Representative experiences include:

Corporate Investigations

- ◆ Assisted major investment company respond to inquiries by the Securities Exchange Commission regarding internal controls in place to prevent late trading of mutual funds. Reviewed policies and procedures at every location and on each front-end order system which involved extensive interviews observation, analysis and documentation. Directed an investigation team of 185 professionals who examined internal controls surrounding every means through which a trading order could be executed including internet, voicemail, US mail, facsimile etc. Provided report on the controls to the Securities Exchange Commission in 25 days. Made extensive recommendations on internal controls to the company.
- ◆ Extensive experience with 10A investigations involving accounting irregularities and other accounting related matters.
- ◆ Assisting client that is listed on the Volcker Report with compliance matters surrounding Foreign Corrupt Practices and the Oil for Food Program. Assisted clients with development of FCPA compliance programs. Performed FCPA compliance testing in Latin American and Asia.
- ◆ Assisted clients with FCPA compliance design, training and testing
- ◆ Assisted a publicly traded aircraft parts manufacturer faced with an investigation by the Securities and Exchange Commission into certain business practices, accuracy of reported financial information and the conduct of a the chief executive officer and major stockholder. His work included extensive interviews, financial analysis and record reconstruction.
- ◆ Conducted an internal investigation of a healthcare company's chief financial officer regarding suspicious financial transactions. Determined whether irregularities rose to the level of federal healthcare fraud and abuse. He gathered evidence of misappropriation of funds and assisted the company ant its attorneys in obtaining a confession from the individual involved as well as recommending enhancements to the internal control structure.

Relevant Experience: (cont'd)

- ◆ Conducted an internal investigation of a company's chief executive officer regarding misappropriation of company's assets and other suspicious transactions. He gathered evidence of misappropriation of funds and assisted the board of directors, the FBI, the Attorney General and the company's attorneys in obtaining a confession from the individual involved. Made extensive recommendations for enhancements to the internal control structure.
- ◆ Assisted billion dollar British Corporation with investigation of irregularities committed by the corporate controller of US subsidiary. Conducted extensive interviews of both US based and Manchester England corporate employees to determine the pervasiveness of the irregularities and measure the impact of the irregularities on the financial performance of the company.
- ◆ Successfully assisted multi-billion dollar paper products manufacturer to determine the cause of monthly, massive unexplained inventory write-offs. His 6 month investigation involved gaining an understanding of virtually every operational and financial activity of the company as well as conducting numerous discreet interviews to determine whether the write-off resulted from fraud or other control or operational reporting issues.
- ◆ Directed a team investigating a US client's South American subsidiary regarding allegations of breach of fiduciary duty, embezzlement, and fraud. His team's work included extensive interviewing, electronic discovery and monitoring, in-depth financial analysis and physical plant inspection and surveillance.
- ◆ Performed various business operational and financial control studies that focused on business controls and practices and performance versus industry norms.

Product Liability Matters

- ◆ Assisting major automotive manufacturer with 16 product liability litigation matters with venues in Mississippi, Alabama and Virginia. Prepared rebuttal report of plaintiff expert's compensatory damage assessment. Prepared affirmative reports of client's exposure to compensatory damages related to alleged wrongful death and extended care requirements. Prepared extensive analysis to assist client in the punitive phases of litigation.

Banking, Insurance, and Investment Suitability

- ◆ Multi-district class action litigation involving breach of contract and fraud issues in connection with increases in interest rates on balances transferred from other credit card issuers, and changes in application of payments among purchase, cash advance, and balance transfer segments of consumers' accounts. The analysis was directed at both class certification and damages issues and aimed to provide insight in the card user's financial situation, sophistication, use of credit and alternative sources of credit.
- ◆ Assisted client with post acquisition dispute in the insurance industry. Analysis was performed to determine whether acquired entity misrepresented its financial condition prior to the close of the acquisition. Our studies involved review and examination of a wide variety of transactions and operational measures with particular emphasis placed on claims activity and the adequacy of reserves reported.
- ◆ Preparing extensive analysis of financially quantifiable and statistical data to rebut allegations of targeting, churning of credit and fraud against a credit card bank. Engaged to assist client in punitive phase of litigation after approximately \$600,000,000 had been awarded to plaintiffs.
- ◆ Assisting client in a series of cases involving credit reporting including analysis of individual credit policies and histories of borrowing. Assessed causal relationship between derogatory credit report comments and the ability to obtain various types of credit.
- ◆ Assisting financial institution with the class certification phase of proposed nationwide litigation matter with billion-dollar suit involving allegation of financing fraud.
- ◆ Investment suitability analysis performed in connection with class certification hearing related to investments in a limited liability partnership owning a large hotel chain.
- ◆ Studies of consumer lending transactions, including associated add-on financial products, refinance versus separate loan analysis, actuarial vs. Rule of 78 interest determinations, credit life and disability analysis and cost of funds determinations.
- ◆ Conducting studies of business practices in the consumer and commercial lending industries.
- ◆ Studies of life, disability, medical, credit life, credit disability, and other consumer insurance product alternatives.

Professional Activities:

- ◆ Better Government Association, Board of Directors
- ◆ Joffrey Ballet, Board of Directors
- ◆ Toastmasters International, Partner Champion for PricewaterhouseCoopers Chicago Club #8249

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Testimony Experience

Windham v. Goldkist Inc., et. al.
Federal Court Northern District of Alabama
Client: Goldkist Inc.
Counsel: Jimmy Gewin, Esq. (Bradley Arant Rose & White LLP)
Jay Bennett, Esq. (Alston & Bird)

Cathy Fleenor v. Talent Tree – *Depositions*
State Court Jefferson County Alabama
Client: Talent Tree
Counsel: J. Fred Wood, Esq. (Dominck, Fletcher, Yeilding, Wood & Lloyd, P.A.)

Cathy Fleenor v. Talent Tree – *Jury Trial*
State Court Jefferson County Alabama
Client: Talent Tree
Counsel: J. Fred Wood, Esq. (Dominck, Fletcher, Yeilding, Wood & Lloyd, P.A.)

Cathy Fleenor v. Talent Tree - *Hammond Hearing*
State Court Jefferson County Alabama
Client: Talent Tree
Counsel: J. Fred Wood, Esq. (Dominck, Fletcher, Yeilding, Wood & Lloyd, P.A.)

Barbara Carlisle v. Whirlpool Financial National Bank -*Deposition*
State Court Hale County Alabama
Client: Whirlpool Financial National Bank
Counsel: Bob Spotswood, Esq. (Bradley Arant Rose & White LLP)

Verner Williams v. Tamko Roofing, Inc-*Deposition*
Federal Court Southern District of Alabama
Client: Tamko Roofing, Inc
Counsel: Doug Kauffman, Esq. (Balch & Bingham LLP)

Hayes v. Midland Insurance Company- *Deposition*
Circuit Court, Clay County Alabama
Client: Midland Insurance Company
Counsel: Jeff Kelley, Esq. (Powell, Goldstein, Frazer & Murphy LLP)

Ferguson v. Chase Manhattan Bank-*Deposition*
State of North Carolina Mecklenburg County
Client: Chase Manhattan Bank
Counsel: Ron von Lembke, Esq. (Ward & Smith, P.A.)

Art Gilley v. Chase Manhattan Bank USA-*Deposition*
United States District Court El Paso State of Colorado
Client: Chase Manhattan Bank
Counsel: Martin Murphy (Chase Manhattan Bank)

Tucker Millwork v. Decralite Grid Systems Inc. -*Deposition*
American Arbitration Association
Client: Tucker Millwork
Counsel: Joe Manning (Morris Manning & Martin)

Tucker Millwork v. Decralite Grid Systems Inc.-*Arbitration*
American Arbitration Association
Client: Tucker Millwork
Counsel: Joe Manning (Morris Manning & Martin)

Testimony Experience: (cont'd)

Keane Inc. and Keane CRM Solutions Practice Inc.-*Deposition*
The Fourth Tier v. Steven S. Blanco, Scot Stettler and Oxford Global Resources Inc
Superior Court of Fulton County, State of Georgia
Client: Keane Inc
Counsel: Joe Manning (Morris Manning & Martin)

Integrated Benefits & Compensation LLC v. Bruce Baldwin et. al.-*Deposition*
Superior Court of Gwinnett County
Client: Integrated Benefits LLC
Counsel: Bob Threlkheld (Morris Manning & Martin)

Bertha Gamble et.al. v MS Loan Center Inc., MS Casualty Insurance –*Deposition*
Company and MS Life Insurance Company
Circuit Court of Jefferson County Mississippi
Client: MS Loan Center Inc., MS Casualty Insurance Company and MS Life Insurance Company
Counsel: Walter Willson (Wells Marble & Hurst)

American Safety Holdings Corp., et al. v Steven Lademen, et al.-*Deposition*
United States District Court for the Northern District of Georgia
Client: American Safety Holdings Corp
Counsel: John Christy (Schreeder Wheeler & Flint,LLP)

Cynthia Johns v. Associates Home Equity Services Inc.-*Trial*
Superior Court of Fulton County, State of Georgia
Client: Associates Home Equity Services Inc.
Counsel: Kaye Burwell Troutman Sanders

Estella Queen, et al. v. Combined Insurance Company of America-*Deposition*
State Court of Jefferson Mississippi
Client: Combined Insurance Company
Counsel: Alford Clausen & McDonald

Eva Nagymihaly et al v. The City of Miami-*Deposition*
11th Circuit Court Of Dade County
Client: Eva Nagymihaly
Counsel: Mitchell Bloomberg of Adorno & Yoss P. A.

Eagle Building Technologies Inc and Meyer Berman v. Tanner and Company and Anthony
D'Amato-*Deposition*
US District Court, Southern District of Florida, West Palm Beach Division
Client: Tanner and Company
Counsel: Cristina Pierson of Gordon Hargrove & James