

## **GARY S. BARACH, CPA, CFE, CFF, CVA**

Barach Consulting Group, LLC  
220 West Gay Street  
West Chester, Pennsylvania 19380

### **Summary**

Gary S. Barach, CPA, CFE, CFF, CVA, founded the firm Barach & Company in 1976. The firm transitioned into Barach Consulting Group, LLC in 2011.

Mr. Barach has served as a forensic economic and financial expert for 40 years and has been retained as an expert in thousands of cases. He has been qualified as a forensic financial and economic expert in federal, state, and municipal courts throughout the United States. Mr. Barach is experienced in determining economic damages in situations involving insurance subrogation; fraud; bankruptcy; contract disputes of entertainers, athletes, shareholders, or joint venture partners; the loss of profits from catastrophes, use or recall of defective products, or theft of intellectual property; and loss of enterprise value. Mr. Barach also has extensive experience valuing damages to injured parties arising from personal injury, wrongful death, or discrimination.

Mr. Barach's experience extends to a broad range of industries and unique events including the following examples. In the early 2000's he was retained to value damages to insurance companies, law firms, and brokerage firms resulting from the terrorist attack of September 11, 2001 on the World Trade Center, and to the United States Congressional mail facilities from the Anthrax incident of October 2001. In 2006, he evaluated economic damages resulting from the importation of contaminated wheat gluten from China by US pet food manufacturers. In 2010, he was retained to establish the impact on global profits to an international jewelry designer and manufacturer arising from the theft of a \$100 Million unique collection in Paris, France.

### **Professional Credentials and Licenses**

Mr. Barach maintains four distinguished professional credentials. He is a Certified Fraud Examiner "(CFE)". The Association of Certified Fraud Examiners ("AFCE") is the preeminent global organization that establishes standards for professionals who are involved in identifying perpetrators of fraud and fraud risk. The CFE credential denotes expertise in fraud prevention, detection and deterrence based on proven experience and knowledge of criminology and ethics, identifying fraudulent financial transactions, fraud investigation, and the legal elements of fraud.

Mr. Barach is credentialed by the National Association of Certified Valuators and Analysts (“NACVA”) as a Certified Valuation Analyst (“CVA”). The NACVA is the nation’s leader in setting standards for valuation professionals and inner phases with organizations such as the Appraisal Issues Task Force, North American Business Valuation Standards Council, IRS Valuation Policy Council, and the USPAP Working Group.

Mr. Barach is an active, licensed Certified Public Accountant (“CPA”), as recognized by the American Institute of Certified Public Accountants (“AICPA”), the Pennsylvania Institute of Certified Public Accountants (“PICPA”), and the Commonwealth of Pennsylvania State Board of Accountancy. The AICPA and PICPA serve as national and state representatives of CPAs before governments, regulatory bodies and other organizations in protecting and promoting members' interests. They are responsible for developing requirements for certification and licensing, and seek to the highest possible level of uniform certification and licensing standards. They establish professional standards; assist members in continually improving their professional conduct, performance, and expertise; and monitor such performance to insure that ethics and standards are met.

Mr. Barach is certified in financial forensics (“CFF”) by the AICPA. The CFF designation encompasses fundamental and specialized forensic accounting and economic skills that are applied in a variety of service areas, including: bankruptcy and insolvency; computer forensics; economic damages; family law; fraud prevention, detection and deterrence; financial statement misrepresentation; and valuations.

## **Professional Memberships**

Association of Certified Fraud Examiners  
National Association of Certified Valuators and Analysts  
American Institute of Certified Public Accountants  
Pennsylvania Institute of Certified Public Accountants  
National Association of Forensic Economics  
Loss Executives Association

## **Education**

Bachelor of Science in Accounting, minor in Economics - Pennsylvania State University  
ACFE continuing education  
AICPA continuing education  
NACVA continuing education  
CFF continuing education

## **Testimony**

### Federal Courts

U.S. Western District, Pennsylvania  
U.S. Eastern District of Pennsylvania  
U.S. Middle District of Pennsylvania

U.S. Western District of North Carolina  
U.S. Western District U. S. Northern District of Maryland of Missouri  
U.S. Northern District of Georgia  
U.S. Eastern District of Virginia  
U.S. Western District of Virginia  
U.S. Northern District of Maryland.  
U.S. Northern District of Illinois

## State Courts

Commonwealth of Pennsylvania  
New Jersey Superior Court (various counties)  
The Court of Chancery of the State of Delaware

## Local Courts of Common Pleas in Pennsylvania

Philadelphia County  
Delaware County  
Bucks County  
Chester County  
Middleton County  
Montgomery County  
Lancaster County  
Dauphin County  
Erie County  
Allegheny County  
Lehigh County  
Luzerne County

## **Industry Experience**

Pharmaceutical Manufacturers  
Food Manufacturers  
Airline Carriers  
Mining  
Construction (commercial and residential)  
Hospitality (hotels, resorts, and country clubs)  
Hospitals and Related Health Care  
Oil Refineries  
Plastic Extruders and Glass Manufacturers  
Sports and Entertainment (athlete performance contracts and entertainer and producer royalty and profit participation contracts)  
Sports Franchises and Athlete Performance contracts  
Banks and Brokerage Firms  
Computer Software Developers and Hardware Manufacturers  
Professional Services (law, medicine, engineering, accounting)  
Retail (jewelry, apparel, food, and durable goods)

## **Selected Engagements**

### Intellectual Property and Valuation

Determination of the Fair Market Value of the brand name “Platinum”, arising from a dispute of ownership between two national software developers.

Determination of the Fair Market Value of the Kansas City Royal baseball franchise, arising from the breach of purchase agreement to acquire the team.

Determination of the Fair Market Value of proprietary fiber optic equipment using optical light waves to transmit and receive information.

### Product Liability

Determination of economic damages arising from the use of “Mad Cow” diseased tendons in heart surgery procedures to an international pharmaceutical company.

Determination of economic damages arising to an international manufacturer of diesel locomotives due to defects in supplied engine components.

Determination of economic damages arising from the use of contaminated wheat gluten imported from China in the production of pet food by US manufactures.

Determination of economic damages arising from the use of contaminated sugar in product manufactured by an international food manufacturer.

Determination of economic damages arising from the use of defective batteries produce in Europe and in used in various products in the US including emergency paging devices of security guards at Riker Prison.

Determination of economic damages arising from the recall of product containing peanut residual in product produced by an international food manufacturer.

### Construction Defects

Determination of economic damages resulting from delays in completion of the Gaylord Resort and Hotel complex due to discovery of defective materials.

Determination of economic damages resulting from the delay in construction of a 4,000 seat entertainment complex due to the discovery of defective material.

### Business Interruption and Loss of Profits

Determination of loss of profits and property damages arising from the collapse of the ceiling of an underground limestone mine.

Determination of loss of profits arising from a fire affecting a shopping mall resulting in the suspension of operations of retail stores.

Determination of loss of profits arising from a hacking and extortion scheme perpetrated upon a national web hosting company.

Determination of loss of profits arising from a water main break causing the suspension of operations of a Washington, DC convention center and hotel.

Determination of loss of profits and property damages arising from the partial collapse of a hospital building and garage.

Determination of loss of profits arising from the terrorist attack of September 11, 2001 on the World Trade Center to a national brokerage firm, an international law firm, and an international insurance company.

Determination of the loss of profits arising from a country-wide power outage to a pharmaceutical manufacturer located in Italy.

Determination of loss of profits and property damages arising from damage sustained by a commercial jet aircraft and national re-routing of substitute aircraft.

Determination of loss of profits to a metal manufacturer and extruder, as the result of an explosion suspending operations.

## Discrimination and Personal Injury

Determination of loss of earnings to a fashion model due to the unauthorized publishing of compromising pictures.

Determination of loss of earnings of a Chef and owner of a five star restaurant.

Determination of loss of earnings to practicing lawyers, corporate executives, and others (numerous).

Determination of the loss of earnings in a class action suit brought by dismissed employee against a national bank.

## Fraud and Arson

Determination of monies embezzled and methods used by a branch manager of a New Jersey bank (\$10 million).

Determination of the financial motives to submit a fraudulent insurance claim relative to stolen property.

## **Seminars and Lectures**

2009 National Convention of the Loss Executive Associates  
Fraud in Commercial Business Losses

Office of Attorney General, Commonwealth of Pennsylvania  
State-wide Conference  
Personal Injury and Discrimination Damages

City of Philadelphia Law Department  
Personal Injury and Discrimination Damages

Southeastern Pennsylvania Transportation Authority  
Personal Injury and Discrimination Damages

Pennsylvania Association of Mutual Insurance Companies  
Business Interruption Damages

The Chubb Group of Insurance Companies  
Business Interruption Damages

Various Law Firms  
Manipulation of Damages by Economic Experts

## **Publications**

Risk Management  
“Organizing Claim Presentations to Expedite Settlements”

Best’s Review  
“Business Interruption – Help is on the Way”

Focus Magazine  
“Retailing – A Guide for Product Selection”