

Sarah L. Ketchum

CURRENT POSITION

Ketchum Advisory, LLC

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PROFESSIONAL HISTORY

- **Ketchum Advisory, LLC**
Founding Member (2024 – Present)
- **HKA Global, LLC**
Independent Contractor (2024 – Present)
Partner (2019 – 2024)
- **The Kenrich Group, LLC**
Vice President (2008 – 2019)
- **Navigant Consulting, Inc.**
Managing Consultant (2004 – 2008)
- **Tucker Alan Inc.**
Senior Consultant (2000-2004)

EDUCATION

- **University of Notre Dame**
Bachelor of Business Administration in Finance and Business Economics, with Honors
- **University of Chicago Booth School of Business** – Executive Education Program
Essentials of Effective Management

PROFESSIONAL ASSOCIATIONS

- American Bar Association
Associate Member
- Association of Certified Fraud Examiners (ACFE)

Sarah L. Ketchum is the Founding Member of Ketchum Advisory, LLC (“Ketchum Advisory”). Sarah is also an Independent Contractor with HKA Global, LLC. Previously, Sarah was a Partner with HKA Global, LLC. Prior to that, Sarah was a Vice President with The Kenrich Group, LLC which was acquired by HKA Global, LLC in 2019.

Ms. Ketchum specializes in the quantification of economic damages and has assisted clients investigate, analyze, and resolve their complex business disputes for over 25 years. Sarah’s work has focused on business disputes, primarily related to the commercial damages, construction, government contracts, and utility industries.

PROFESSIONAL EXPERIENCE

Ms. Ketchum has analyzed accounting, financial, and economic damages issues and provided litigation support in numerous types of disputes, including commercial damages investigations; forensic accounting investigations; lost profits disputes; business interruption disputes; breaches of contract; securities-related investigations; patent infringements; construction and government contractor disputes; false claim/qui tam lawsuits; requests for equitable adjustment; and others.

Ms. Ketchum has testified, authored expert reports, presented at mediations and settlement negotiations, prepared for deposition, trial, and arbitration testimony, as well as prepared other experts for deposition and trial testimony in state court, federal court, and domestic and international arbitrations.

Ms. Ketchum has experience throughout North America and Asia. She has consulted on behalf of Fortune 500 companies and others, including financial institutions; technology companies; project owners; municipalities; government contractors; construction contractors; energy, oil, and gas companies; utilities; engineering and manufacturing firms; pharmaceutical companies; individuals; among others.

Ms. Ketchum has led large engagement teams performing accounting, economic, and financial analyses, including forensic accounting investigations; analysis of lost profits; analysis of business interruption losses; analysis of costs resulting from breach of contract; analysis of increased costs and project cost growth, including those related to delay, disruption, termination, and productivity issues; among others.

Sarah has provided litigation consulting services at mid-size privately held consulting firms, as well as large publicly-traded and international consulting firms.

SELECT PROJECT EXPERIENCE

FORENSIC ACCOUNTING AND COST AUDITING EXPERIENCE

Analyzed SEC allegations against two former executives of a national retailer for misleading investors in the months preceding the company's bankruptcy filing. Allegations included material misrepresentations and omissions about the company's liquidity and related matters in various SEC filings and analyst calls. Analyzed financial statements, management reports, disclosure statements, and internal company documents, including various measures of liquidity and general accounting practices. Developed expert report and prepared testifying expert for testimony.

Performed forensic accounting analysis to investigate allegations of fraudulent time charging at one of the largest U.S.-based shipbuilding yards. Analyzed millions of data records and developed unique and intricate models to identify likely mischarges. Quantified likely mischarging as well as developed methods to re-allocate mischarged costs to contracts. Prepared and submitted reports summarizing findings for counsel's use in government proceedings.

Reviewed and analyzed fraud allegations brought by a financial institution related to a defaulted loan. Financial institution ascertained use of fraudulent financial reporting practices by the entity in order to secure the loan. Analyzed financial records to assist in mediation proceedings.

Performed cost audit of contractor's cost records, change orders, payment records, and analyzed performance against original and revised guaranteed maximum price contract values. Analyzed general conditions costs incurred throughout construction. Developed damages calculations and prepared and filed affirmative expert report.

Analyzed and rebutted a joint-venture contractor's economic damages and schedule delay claims against the owner of a liquefied natural gas facility in the gulf coast resulting from schedule delays and cost overruns experienced during construction. Audited the contractor's cost accounting system and analyzed and rebutted the joint-venture's claims resulting from Force Majeure events, changed OSHA welding requirements, and owner-directed changes. Developed and quantified the owner's affirmative claims, including liquidated damages resulting from the delayed completion and start-up of the facility. Presented at mediation and assisted counsel throughout mediation proceeding.

Determined the overbillings submitted by a contractor to a leading oil and gas company during a natural gas-to-propane conversion project of approximately 400 homes. Audited the contractor's cost records and analyzed contractor's invoiced costs and overhead and profit mark-ups for services performed. Researched and analyzed historical construction contracts as well as construction industry profitability data to determine reasonable overhead and profit mark-ups. Submitted affirmative expert and rebuttal reports and the case settled prior to trial.

Analyzed and rebutted a joint-venture contractor's damages claims against a city government after being terminated for convenience due to schedule delays and cost overruns experienced during construction of a parking garage and public transportation facility. Audited the contractor's cost accounting system and reviewed contemporaneous project cost records to identify and analyze labor inefficiencies, schedule delays, cost overruns, and reasonable overhead and profit margins.

Developed affirmative and rebuttal expert reports and prepared expert witness for deposition and trial testimony.

Analyzed and rebutted economic damages and qui tam allegations against a government contractor related to material management and accounting issues and related government billings. Audited and documented the contractor's cost accounting and material managements systems, progress billing practices, contract proposal processes, internal management reports, and government correspondence. Investigated compliance with government accounting and contract regulations, including Cost Accounting Standards and Federal Acquisition Regulations. Analyzed and critiqued Government and Relators' damages analyses and associated penalties. Developed alternate damages theories and positions and performed alternate damages calculations. Prepared two expert reports and prepared the expert witness for testimony.

COMMERCIAL DAMAGES

Determined the financial impact to an electronics security firm as a result of tortious interference and the pilfering of clients. Analysis included an assessment of lost profits as well as valuing the trade secret. Developed an expert report.

Determined the financial impact to a website design company as a result of defamatory statements and fake online reviews. Analysis included an assessment of lost contracts as well as costs incurred to mitigate and remove the defamatory online content and pursue legal actions. Prepared and filed an expert report.

Analyzed SEC allegations of fraud, misappropriation, and commingling of client assets at a cash management firm upon its bankruptcy filing. Allegations included fraudulent movement of client assets into company accounts and use of client assets as collateral to obtain lines of credit for the company's benefit, including subsequent non-disclosure of leveraged positions to customers. Performed funds tracing of customer securities through client and company accounts and analyzed company and client documents, including account statements and bank correspondence. Assisted the trustee in bankruptcy court proceedings.

Analyzed and rebutted an owner's alleged lost profits damages and increased financing and operational costs claimed against a municipality as a result of alleged permit and zoning delays. Plaintiffs claimed the construction, zoning, and business permitting approval process for a drug and alcohol rehabilitation facility to open and operate within county limits was delayed. Participated in settlement conference proceedings.

Determined a municipal park district's lost profits resulting from the early termination of a thirty-year lease on park district land. The lessee's lease required fixed, minimum, monthly payments to the park district, plus a share of the lessee's revenue. Calculated the present value of the remaining term of the lease, and ultimately presented findings to the park district's Executive Director and counsel. Worked alongside a third-party architect, consultant, and contractor to evaluate alternative uses for the land and assisted in lease termination settlement negotiations.

Evaluated and determined a municipality's tax and economic impact as a result of closing a hotel, re-zoning the property, and operating a tax-exempt non-profit drug and alcohol rehabilitation facility. Analyzed the historical tax and economic impact of the hotel on municipal revenues; reviewed and analyzed the projected tax and economic impact of the non-profit facility, including potential increased emergency-related community costs; and analyzed other potential follow-on economic impacts. Authored expert report and testified in a public zoning hearing.

Determined the value of two 6-unit coal-fired power plants in South Africa as part of a multi-billion-dollar joint venture dispute between two Japanese conglomerate companies. Prepared an initial presentation of findings regarding the reasonableness of the cost and schedule forecasts prepared by the Joint Venture and calculated the project's value at the time of the Joint Venture transaction. Prepared expert report and provided consulting assistance in the arbitration hearing process to evaluate the cost and schedule projections. Assisted in settlement negotiations prior to schedule arbitration hearing.

Analyzed and valued a nuclear-related joint venture entity and calculated potential remedies in the event of default by either party. The joint venture entity was planning to pursue, purchase, and decommission closed nuclear power plants throughout the United States and globally. Reviewed and analyzed plant operating status, operating licenses, and expected closures; joint venture membership agreements; joint venture financial information; decommissioning agreements; business plans; milestone payment schedules; project status reports; among others. Developed and submitted an expert report in mediation and arbitration proceedings.

Analyzed and rebutted an energy developer's alleged diminution in value and other damages claimed against a utility. The developer alleged the utility improperly rejected its proposal to develop and build a gas-fired power plant due to interference in the procurement process by the California Public Utility Commission. Analyzed and rebutted alleged diminution in value of the proposed power plant project, along with the developer's costs to pursue the project and contract with the utility. Developed and submitted an expert report. The matter settled prior to trial.

Determined the direct damages incurred and future lost profits suffered by a utility's power plant due to the failure of newly installed equipment. The equipment was warranted to last between 20 to 40 years but failed in less than 2 years. Calculated direct damages resulting from the failure, including mitigation, legal, regulatory, and other transmission-related costs resulting from the plant being offline for an extended period of time. Quantified the future lost profits had the equipment performed as expected for the next 20 to 40 years. Prepared and submitted affirmative and rebuttal expert reports in the international arbitration proceeding and prepared testifying expert for deposition and arbitration testimony.

Analyzed and rebutted a developer's claim for lost profits and diminution in value against a municipality of a newly constructed 30,000 square foot retail development. The developer alleged the municipality interfered with construction, leading to diminution in value, lost rental profits, and increased construction costs. Developed an alternative damages calculation, resulting in a significant reduction to the developer's lost profits claim. Assisted counsel in mediation.

Determined the lost profits and economic damages of a large Japanese engineering and manufacturing firm in a dispute with a US-based competitor due to alleged breach of contract and

misappropriation of design technologies. Analyzed market demand, selling prices, timing of sales, manufacturing and marketing capacity, reasonable royalty rates, and industry and company-specific profit margins. Quantified damages under three separate legal theories of recovery. Prepared and submitted affirmative and rebuttal expert reports in the ICC arbitration proceedings and prepared the testifying expert for arbitration testimony.

Quantified the lost profits of a pharmaceutical company in a patent infringement matter related to diabetes diagnostics products. Analyzed market demand, industry and company growth rates, company market share, product selling prices, timing of sales, manufacturing and marketing capacity, availability of substitutes, and industry and company-specific profit margins, and the domestic marketplace for diabetes diagnostics products before, during, and after the alleged infringement. Quantified resulting lost profits damages. Prepared affirmative and rebuttal expert reports and prepared the testifying expert for testimony.

Determined the lost profits of a hotel corporation in a dispute with the on-site managing entity of various hotel properties concerning the legal rights to financial benefits received from a vendor rebate program. Quantified the historical and future projected rebates based upon sales metrics and vendor contract terms and stipulations. Reviewed and analyzed management structure, market demand, company market share, vendor contract structures, rebate terms, historical and future sales projections, and industry and company growth rates. Developed a lost profits damages model used by counsel in mediation.

Quantified the lost profits of a pharmaceutical company in a breach of contract matter involving the termination of a drug contract agreement. Allegations included intentional disregard for the stated agreement and management knowledge of solicitation and sales into stipulated forbidden markets. Analyzed company contracts, market demand, manufacturing capacity, records of sales, records of rebates paid, third-party sales tracking databases, and records of solicitation. Reviewed and analyzed company correspondence, deposition transcripts, and previous case-related trial testimony.

CONSTRUCTION

Determined a contractor's cost overruns to design and construct an apparel company's headquarters and merchandise facility amidst numerous design changes, scope growth, and schedule delays. Analyzed the contractor's performance and cost records against original and revised guaranteed maximum price contract values. Developed and filed affirmative and rebuttal expert reports in arbitration proceeding. Assisted in settlement conference prior to scheduled arbitration hearing.

Quantified an owner's economic damages claims against the general contractor resulting from construction defects, cost overruns, and schedule delays experienced during construction of a multi-billion-dollar hotel and casino development. Analyzed contractor's cost records and analyzed performance against original and revised guaranteed maximum price contract values. Assisted the owner to settle subcontractors and analyze outstanding change orders and backcharge claims. Developed damages calculations and prepared affirmative and rebuttal expert reports, including preparing the expert witness for testimony.

Determined a municipality's increased costs to operate and maintain a newly-constructed wastewater treatment plant. Quantified the costs incurred to repair and redesign the facility, including the increased operations and maintenance costs resulting from defective design and construction.

Quantified the costs incurred to repair and remediate a modernized hospital facility resulting from design and construction defects. Compiled internal and external direct and indirect costs to repair the facility while remaining operational and re-locating certain services as repairs were made in necessary locations on a rolling basis. Developed reports summarizing costs incurred and assisted in mediation proceedings with the architect and original general contractor, as well as insurance policyholders.

Quantified an owner's increased costs to renovate and expand an existing wastewater treatment plant to meet growing customer demand. Reviewed and assessed claims against the contractor, owner, and design firm resulting from increased costs, numerous change orders, and schedule delays. Analyzed increased construction costs as well as increased financing and bond costs resulting from schedule delays.

Analyzed and assessed change orders and damages claims by the contractor against a southern California utility for cost and schedule impacts experienced to construct a 117-mile high-voltage transmission line across southern California. Performed detailed cost analyses, reviewed the contractor's claim support, prepared rebuttal positions, audited the contractor's cost accounting system, assisted with change order settlement negotiations, and presented at mediation.

Assisted a major Florida utility with testimony before the state utility commission investigating timely updates of growing capital improvement project costs to "uprate" four nuclear power plant reactors to meet growing customer demand. Analyzed the evolution of cost estimates prepared during the project's design and construction phases and identified underlying causes for project cost growth and potential cost mitigation. Reviewed and analyzed internal and external communications and reports. Conducted interviews with executive and project-level personnel to analyze and quantify the cost estimate evolution, assess use of various project controls, and document the timeliness of internal and external communication of project cost growth. Provided report of findings to executive management for use in commission hearing testimony.

GOVERNMENT CONTRACTS

Quantified a government contractor's shipbuilding business interruption and physical property loss insurance claims experienced due to Hurricane Katrina. Analyzed and documented the contractor's planned versus actual revenues, costs, and profit margins experienced on each program and quantified resulting losses.

Prepared and submitted a government contractor's request for equitable adjustment due to schedule delays and cost overruns experienced during construction of a nuclear waste remediation facility resulting from funding constraints and Department of Energy-directed changes including more robust seismic design requirements and increased plant capacity. Analyzed engineering and construction productivity and performance factors, identified root causes of lost productivity, and

quantified resulting labor inefficiencies and increased costs. Presented at settlement discussions between the contractor and the Department of Energy. Assisted contractor negotiate a \$1 billion contract modification.

Assisted a government contractor in transitioning from product-line reporting to contract-type reporting. Assisted contractor develop reports compiling costs incurred from both sales and cost databases to aggregate and report costs by contract. Developed and submitted the contractor's Government-required Incurred Cost Submission detailing annual direct costs incurred by contract type.

Determined cost and schedule impacts experienced by a government contractor during construction of a nuclear waste remediation facility resulting from Department of Energy-directed changes to technical specifications and design requirements. Performed cost and schedule analyses, analyzed schedule impacts and delays, and quantified the financial impacts associated with the changed design requirements. Assisted in developing a request for equitable adjustment and presented findings in a settlement mediation conference with the Department of Energy.

Prepared and developed an aviation contractor's claims against the government following a termination for convenience. Reconciled the contractor's estimates of final program cost and developed an adjusted claim model that combined discrete estimates and estimating factors from multiple contractor claims. Prepared and critiqued estimates-at-completion in conjunction with the development of a loss claim.

Analyzed and rebutted damages and qui tam allegations against a government contractor related to allegations of labor mischarging, material mismanagement, material mischarging, and improper accounting practices. Formulated alternative methods of valuing damages associated with labor and material charging practices and critiqued the opposing expert's damages calculation methodology. Developed expert report.

ENVIRONMENTAL

Analyzed and rebutted claims by an energy company for clean-up and remediation costs incurred resulting from an oil spill within a municipality. Investigated the energy company's claimed costs to remediate the oil spill and compensate local business for business interruption losses. Prepared an expert report and assisted counsel and client in preparation for mediation.

Developed a manufacturer's insurance claims to recover clean-up costs incurred at numerous domestic waste sites for compliance with changing Environmental Protection Agency (EPA) laws. Quantified allowable costs incurred at specified sites during the relevant time period, compiled contemporaneous documentation, and identified any missing data. Assisted client in settlement negotiations.

EMPLOYMENT HISTORY

2024 – Present	Ketchum Advisory, LLC Partner and Founding Member
2024 – Present	HKA Global, LLC (acquired The Kenrich Group LLC) Independent Contractor
2019 – 2024	Partner
2008 – 2019	The Kenrich Group LLC Vice President
2004 – 2008	Navigant Consulting, Inc. (acquired Tucker Alan Inc.) Managing Consultant
2000 – 2004	Tucker Alan Inc. Senior Consultant

LECTURES & SEMINARS

“Construction Change Order Management and Claim Preparation,” Guest Lecturer at Northwestern University, Masters in Project Management Program, Cost Engineering and Control class, 2017

“You’ve Won On Liability – Now What? Considerations When Calculating Commercial Damages,” Chicago Bar Association – Federal Civil Practice Committee, 2017

“Damages Analyses Gone Bad,” Chicago Bar Association – Federal Civil Practice Committee, 2016