

CURRICULUM VITAE

Robert L. Chastain
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EDUCATION:

- 1997 J.D., Stanford University Law School
Hilmer Oehlmann, Jr. Research & Legal Writing Award
Editor, Environmental Law Journal
Editor, Stanford Journal of Law, Business, and Finance
Member, East Palo Alto Community Law Project
Member, Stanford Law and Technology Association
- 1992 Ph.D., Stanford University, School of Education, Educational Psychology
Major: Psychological Studies in Education, Minor: Psychology
Dissertation: Adaptive Processing in Complex Learning and Cognitive Performance
Dissertation Committee: Richard Snow (Chair), Edward Haertel & Patrick Kyllonen.
Dissertation Defense: Nathaniel Gage, Helena Kraemer & David Rogosa.
Awarded Fellowship and Dean's Award for Most Outstanding Applicant, 1985
- 1983-1985 Ph.D. Candidate, Texas A&M University
Quantitative Methods (Planning, Research and Evaluation Program)
School Psychology
- 1983 M.S., Texas A&M University
Major: Educational Psychology, Minor: Statistics
- 2001 M.B.A., California Coast University
- 1980 B.A. (Summa Cum Laude), Houghton College
Major: Religion, Minor: Psychology

ACADEMIC TEACHING APPOINTMENTS AND EMPLOYMENT:

- 2000 Instructor, Dept. of Applied and Natural Sciences, University of California Santa Cruz (UCSC) Extension: SAS® in Clinical Trials for the Non-Programmer, Introduction.
- 1993 Adjunct Faculty, College of Professional Studies, Organizational Behavior Program, University of San Francisco (USF): OB320 Research Methods in Organizations.
- 1988-1989 Instructor, Stanford University Data Center:
Regression and ANOVA in SAS®; SAS Overview; SPSS-X Overview.
- 1987-1988 Teaching Assistant, School of Education, Stanford University:
- ED215/PSYCH145 Psychological Foundations of Education;
 - ED350A Psychological Studies in Education;
 - ED255/PSYCH155 Human Abilities.

- 1983-1985 Invited Lecturer, College of Education, Texas A&M University:
- EPSY 636 Techniques of Research;
 - EPSY 301 Educational Psychology;
 - EPSY 637 Experimental Design in Education.

GRANTS AND CONTRACTS:

- 1989-1991 United States Air Force Office of Scientific Research Grant No. AFOSR 89-0517-B, for dissertation research.
- 1983-1991 Provided research and statistical expertise to Federal and State funded grants at various institutions including: Samuel Merritt College of Nursing (Drug Abuse), San Francisco State University (Occupational Health), Stanford University (Biostatistics, Education, Epidemiology, Psychology, and Nursing Research), Texas A&M University (Agriculture, Drug Abuse, Education, and Psychology), and University of California at San Francisco (Institute for Health Policy Studies and Smoking Cessation Project).
- 1992-present Provided litigation support to National Jury Project West. Provided design, psychometric, validity and summary analyses of supplemental juror questionnaires for commercial litigation purposes (Plaintiff and Defense). Cases included Contract Disputes, Insurance Coverage, Intellectual Property, Securities, Environmental and Toxic Tort claims.
- Provided litigation support by analyzing and researching safety and efficacy claims related to marketing, labeling, package inserts, publications, and approvals submitted to the FDA on behalf of our life sciences clients.
- Provided litigation support to Dow, Lohnes & Albertson law firm. Analyzed and responded to Maryland Higher Education Commission and the Department of Education concerns about the use and validity of various educational testing.
- Provided expert testimony, declarations and forensic reports on psychological testing for child custody cases in San Mateo & Santa Clara counties. Assisted various attorneys as counsel and forensic expert for pretrial discovery, depositions, and motions; also assisted with direct and cross-examination strategies at trial.

ACADEMIC NON-TEACHING EMPLOYMENT:

- 10/08-present Programmer/Analyst, University of California San Francisco (UCSF), School of Medicine, Institute for Health Policy Studies (IHPS), R. Adams Dudley, MD/MBA, Principal Investigator, provide statistical and programming for federal and state funded grants assessing process, outcomes, pay for performance of health care providers.
- 9/96-5/97 Research Assistant, Stanford University Law School. Assistant to Joan Galle, Computer help desk, IT and network consultant to faculty, students and staff.
- 1/95-5/96 Research Assistant, Stanford University Law School. Assistant to Dean Paul Brest and Linda Krieger. Assisted with research and data base bibliography on decision making.

- 7/86-7/89 Computer Applications Consultant, Community Information Resources, Stanford University staff. Consultant to faculty, staff and students on software applications.
- 1/88-6/88 Research Assistant, Center for the Study of Teachers and Teaching in the Secondary School Context, Stanford University. Assistant to Center Directors Milbrey McLaughlin & Joan Talbert and Dean Marshall 'Mike' Smith, School of Education. Longitudinal study of context effects on secondary school teachers.
- 7/86-9/86 Research Assistant, Center for Family & Youth Studies, Psychology Department, Early Adolescent project, Stanford University. Researcher, statistical analyst, data manager and programmer on IBM, DEC, and VAX mainframes.
- 10/85-9/86 Biostatistician, Stanford Arthritis Center, Stanford University. Assisted in data analysis, statistical design, and publication writing for Arthritis Self-Management Course, a longitudinal health education project.
- 10/85-7/86 Research Assistant, School of Education, Stanford University. Assistant to Professor E. Haertel. Statistical analysis and writing for Stanford and the Schools Study.
- 3/83-7/85 Staff Research Assistant, Behavioral Research Program (BRP), Texas A & M University. Research, statistical analysis, programming, planning, and writing on longitudinal data of opiate addicts for the Drug Abuse Reporting Procedure (DARP) funded by the National Institute on Drug Abuse (NIDA).
- 1/83-9/83 Research Assistant, Research Assistance Laboratory (RAL), Texas A&M University. Assisted in design & statistical analysis for student and faculty research projects with Vic Willson and Jim McNamara.
- 9/82-1/83 Graduate Assistant, Texas A&M University. Assistant to Don Hall, Dean of Research & Development, College of Education. Researched grant and contract funding and edited the College of Education newsletter, ALERT, for faculty research and development.

NON-ACADEMIC EMPLOYMENT:

- 1993-present President/Chief Executive Officer, Chastain Research Group, Inc.
- Founded sole proprietorship providing statistical and programming consulting.
 - Capitalized and incorporated in 1993 to expand services to pharmaceutical, biotechnology and medical device industries. Current revenues over \$1.5M.
 - Oversee all day-to-day operations, finances and business development strategies.
 - Manage and ensure activities meet organizational, state and federal requirements for quality management, health and safety (OSHA), employment, environmental policies and general duty of care.
- 1997-present General Counsel, Chastain Research Group, Inc.
- Manage all legal duties related to contracts, arbitration, litigation, intellectual property, regulatory, government, and employment law.
 - Negotiate terms, draft and review all employment contracts, employee staffing placement agreements, non-disclosure agreements, confidential and proprietary information agreements, consultant and contractor agreements, trademark, licensing and other intellectual property agreements.

NON-ACADEMIC EMPLOYMENT (continued):

- 1997-present General Counsel, Chastain Research Group, Inc. (continued)
- Respond to FDA, EDD and other federal and state regulatory agencies or departments.
 - Supervised and successfully settled federal litigation (US District Ct., case #98-20161) alleging violations related to trade secret, intellectual property and unfair competition claims. Collaborated with outside counsel to handle temporary restraining orders, electronic and written discovery, subpoenas, depositions, and settlement agreements.
 - Provided litigation support on behalf of our life sciences clients by analyzing and researching safety and efficacy claims related to marketing, labeling, package inserts, publications, and approvals submitted to the FDA.
- 1997 Associate, Wilson Sonsini Goodrich & Rosati
- Corporate securities transactions with a focus on Life Sciences companies (e.g., pharmaceutical, biotechnology, medical device and health care). Attended Board of Directors meetings, drafted notices, resolutions and minutes.
 - Primary emphasis on Initial Public Offerings (IPOs) and private placement financings. Participated in three IPOs and four venture capital private placements.
 - Wrote or reviewed stock purchase agreements, stock purchase warrants, private placement memoranda, employment agreements, equity incentive plans such as incentive stock option and employee stock purchase plans, insider trading, compliance programs, NASD questionnaires, lock-up notices and related agreements.
 - Handled NASDAQ and NYSE stock symbol requests, transmittal letters, applications for IPOs and listing agreements.
 - Attended Board of Directors meetings, took notes, drafted notices, resolutions and minutes.
- 5/96-3/97 Summer Associate, Law Clerk, Associate, McCutchen Doyle Brown & Enersen
- Researched, analyzed, and drafted legal memoranda and documents focusing on corporate and intellectual property transactions for high technology and biotechnology companies.
 - Transactions included equity financing of new and joint ventures, mergers, spin-offs, acquisitions, various stock option plans, and other securities (Reg. D, Rule 701 and Blue Sky).
- 1/91-4/92 Director of Test Development, Wonderlic Personnel Test, Inc.
- Managed departments of test development, validation and programming.
 - Primary responsibilities were to develop and validate computerized tests for businesses and vocational schools.
 - Developed three software applications for public sale and distribution including computerized Wonderlic Personnel Test (WPT) and Scholastic Level Exam (SLE).
 - Responsible for providing customers with advice as to possible discriminatory effects of the WPT under Title VII of the Civil Rights Act of 1964 and whether the employer's use of the WPT met the burden of being sufficiently "job related" as a reasonable measure of job performance. The use of the WPT as a potentially discriminatory employment test was at the heart of the U.S. Supreme Court case of *Griggs v. Duke Power Co.*, 401 U.S. 424 (1971).

NON-ACADEMIC EMPLOYMENT (continued):

- 9/68-3/83 Quality Control Inspector & First Line Supervisor, General Motors Corporation, Harrison Radiator Division
- Supervised production and quality assurance personnel;
 - Responsible for departmental budgeting, product quality control and reliability of heat transfer manufacturing.

PRO BONO LEGAL SERVICE (1997-present):

Represented plaintiff in case #DC98367142, a successful claim against a construction contractor for breach of contract, negligence, breach of warranty (express & implied), fraud (negligent & intentional misrepresentation of fact) and suppression of fact. Worked with state regulators on case revoking contractor's license. Worked with Santa Clara County District Attorney's office on case #CC102272 to successfully obtain restitution.

Represented Home Owners Association (HOA) as General Counsel and President in Case CV 805711, supervising construction defect litigation complaint (including mold issues) against Greystone Homes including related parties, manufacturers and subcontractors. Selected attorneys, prepared preliminary statement of claims, prepared and interviewed expert witnesses, developed litigation strategies, reviewed documents, and managed litigation costs. Handled and directed negotiations and meetings with Special Master.

Represented appellants in oral argument for case H021663 California Sixth District Appellate Court on appeal from Trial Court Order in case CV804650 granting a motion to strike under Code of Civil Procedure section 425.16, the anti-SLAPP (Strategic Lawsuit Against Public Participation) statute. Addressed main issues of litigation privilege under Civil Code 47(2), public significance versus private interests, republication of defamatory falsehoods, unauthorized release of confidential information, malicious prosecution, abuse of process, and malpractice.

Represented minority restaurant founder of Uncle Franks' BBQ to handle proprietary information agreements, non-exclusive development agreements, franchise agreements, corporate restructuring, contracts and negotiations with investors.

Represented client in successfully defending consumer debt of \$20,000.

LICENSURE-BAR MEMBERSHIPS:

Department of Veterans Affairs Accreditation (11/07/2008, #022D)

State Bar of California (admitted 11/24/1997 #190022)

State Bar of Nebraska (admitted 9/23/1998, #21559)

United States Court of Appeals for the Federal Circuit (admitted 12/02/2008)

United States Court of Appeals for Veterans Claims (admitted 10/09/2008 #08-310)

United States District Court, Northern District of California (admitted 04/11/2007)

PROFESSIONAL SOCIETIES:

American Bar Association

American College of Forensic Examiners, Diplomate of the American Board of Psychological Specialties with a Forensic Specialty in Psychological Assessment, Evaluation and Testing

American Educational Research Association

American Psychological Association
(Divisions 5, 15 and 41)

American Statistical Association

National Council on Measurement in Education

Palo Alto Area Bar Association

Psychometric Society

OFFICES, HONORS AND AWARDS:

- 2001 Court Appointed Special Advocate (CASA) Santa Clara & San Mateo Counties.
- 1999-2000 Santa Clara County Bar Association Finance Committee Member.
- 1998 Santa Clara County Bar Association Barristers Leadership Training Program.
- 1998 Diplomate of the American Board of Psychological Specialties with a Forensic Specialty in Psychological Assessment, Evaluation and Testing.
- 1995 Hilmer Oehlmann, Jr. Legal Research & Writing Award, Stanford Law School.
- 1995-1996 Certificates of Appreciation, San Mateo County's Community Schools Program, East Palo Alto Community Law Project.
- 1995-1996 Founders' Fellowship, Houghton College, recognition of funding the Chastain Endowed Scholarship for Minority and Disabled Students.
- 1985 Fellowship and Dean's Award, School of Education, Stanford University.
- 1980 Special Deputy Sheriff in Community Relations, Niagara County Mental Health Association to Niagara County Jail, Niagara County, New York.
- 1980 Commissioned Juvenile Officer & Chaplain, National Chaplain's Association.
- 1979 Certificate of Ordination, National Chaplain's Association.

JOURNAL PUBLICATIONS:

- Barona, A., & Chastain, R. L. (1986). An improved index of premorbid IQ for blacks and whites on the WAIS-R. *International Journal of Clinical Neuropsychology*, 8, 169-173.
- Barona, A., Reynolds, C. R., & Chastain, R. L. (1984). An index of premorbid IQ for the 1981 revision of the WAIS-R. *International Journal of Clinical Neuropsychology*, 6(Suppl. 90).
- Barona, A., Reynolds, C. R., & Chastain, R. L. (1984). A demographically based index of premorbid intelligence for the WAIS-R. *Journal of Consulting and Clinical Psychology*, 52, 885-887.
- Chastain, R. L., & Joe, G. W. (1987). Multivariate relations between intellectual abilities and demographic variables. *Journal of Educational Psychology*, 79, 323-325.
- Chastain, R. L., Lehman, W. E. K., & Joe, G. W. (1986). Estimated intelligence and long-term outcomes of opioid addicts. *The American Journal of Drug and Alcohol Abuse*, 12, 331-340.
- Larson, D. G., & Chastain, R. L. (1990). Self-concealment: Conceptualization, measurement, and health implications. *Journal of Social and Clinical Psychology*, 9, 439-455.
- Lorig, K., Chastain, R. L., Ung, E., Shoor, S. & Holman, H. R. (1989). Development and evaluation of a scale to measure the perceived self-efficacy of people with arthritis. *Arthritis & Rheumatism*, 32, 37-44.
- Lorig, K., Feigenbaum, P., Regan, C., Ung, E., Chastain, R. L., & Holman, H. R. (1986). A comparison of lay-taught and professional-taught arthritis self-management courses. *Journal of Rheumatology*, 13, 763-767.
- Lorig, K., Seleznick, M., Lubeck, D., Brown, B. W., Ung, E., Chastain, R. L., & Holman, H. R. (1989). The beneficial outcomes of the Arthritis Self-Management Course are not adequately explained by behavior change. *Arthritis & Rheumatism*, 32, 91-95.
- Reynolds, C. R., Chastain, R. L., Kaufman, A. S., & McLean, J. E. (1987). Demographic characteristics and IQ among adults: Analysis of the WAIS-R standardization sample as a function of the stratification variables. *Journal of School Psychology*, 25, 323-342.
- Swanson, J. M., Remy, L. L., Chenitz, W. C., Chastain, R. L., Trocki, K. F. (1993). Illicit drug use among young adults with genital herpes. *Public Health Nursing*, 10, 197-203.

JOURNAL PUBLICATIONS – CITATIONS (as of Summer 2008) AND CONTRIBUTIONS:

<u>Year</u>	<u>Cited</u>	<u>Journal</u>
1984	373	<i>Journal of Consulting and Clinical Psychology</i> , 52, 885-887. Performed all statistical analyses, wrote methodology and results including tables.
1986	4	<i>The American Journal of Drug and Alcohol Abuse</i> , 12, 331-340. Authored, conceptualized, performed all statistical analyses, wrote methodology and results including tables.
1986	34	<i>International Journal of Clinical Neuropsychology</i> , 8, 169-173. Conceptualized, performed all statistical analyses, and wrote methodology and results.
1986	65	<i>Journal of Rheumatology</i> , 13, 763-767. Performed and verified all statistical analyses, wrote methodology and results.
1987	2	<i>Journal of Educational Psychology</i> , 79, 323-325. Authored, conceptualized, performed all statistical analyses, wrote methodology and results including tables.
1987	62	<i>Journal of School Psychology</i> , 25, 323-342. Co-authored, performed all statistical analyses, wrote methodology and results.
1989	135	<i>Arthritis & Rheumatism</i> , 32, 37-44. Co-authored, conceptualized, performed all statistical analyses, wrote methodology and results including tables.
1989	445	<i>Arthritis & Rheumatism</i> , 32, 91-95. Performed and verified all statistical analyses, wrote methodology and results.
1990	86	<i>Journal of Social and Clinical Psychology</i> , 9, 439-455. Co-authored, designed, performed all statistical analyses, wrote methodology and results.
1993	5	<i>Public Health Nursing</i> , 10, 197-203. Performed and verified all statistical analyses, wrote methodology and results.

EDITED OR BOOK CHAPTER PUBLICATIONS:

- Barona, A., Reynolds, C. R., & Chastain, R. L. (1999). A demographically based index of premorbid intelligence for the WAIS-R. *The Forensic Documentation Sourcebook*, T. H. Blau. New York, NY: John Wiley and Sons.
- Chastain, R. L., & Reynolds, C. R. (1987). An analysis of WAIS-R performance by sample stratification variables used during standardization. *Assessment of Children* (3rd ed.), J. W. Sattler (Ed.). San Diego, CA: Sattler Press.
- Joe, G. W., Chastain, R. L., Marsh, K. L., & Simpson, D. D. (1990). Relapse. In D. D. Simpson & S. B. Sells (Eds.), *Opioid addiction and treatment: A 12-year follow-up* (pp. 121-136). Malabar, Florida: Robert E. Krieger.

EDITED OR BOOK CHAPTER PUBLICATIONS (continued):

Joe, G. W., Chastain, R. L., & Simpson, D. D. (1990). Reasons for addiction stages. In D. D. Simpson & S. B. Sells (Eds.), *Opioid addiction and treatment: A 12-year follow-up* (pp. 73-102). Malabar, Florida: Robert E. Krieger.

Joe, G. W., Chastain, R. L., & Simpson, D. D. (1990). Length of careers. In D. D. Simpson & S. B. Sells (Eds.), *Opioid addiction and treatment: A 12-year follow-up* (pp. 103-120). Malabar, Florida: Robert E. Krieger.

McNamara, J. F., & Chastain, R. L. (1983). *National Survey of Former TAMU College of Education Graduate Students*. College Station: Texas A&M University, College of Education.

McNamara, J. F., & Chastain, R. L. (Eds.). (1983). *National Survey of Former TAMU Educational Administration Graduate Students*. College Station: Texas A&M University, College of Education.

McNamara, J. F., & Chastain, R. L. (Eds.). (1983). *National Survey of Former TAMU Educational Curriculum and Instruction Graduate Students*. College Station: Texas A&M University, College of Education.

McNamara, J. F., & Chastain, R. L. (Eds.). (1983). *National Survey of Former TAMU Health and Physical Education Graduate Students*. College Station: Texas A&M University, College of Education.

McNamara, J. F., & Chastain, R. L. (Eds.). (1983). *National Survey of TAMU Industrial Education Graduate Students*. College Station: Texas A&M University, College of Education.

McNamara, J. F., & Chastain, R. L. (Eds.). (1983). *National Survey of Former TAMU Interdisciplinary Education Graduate Students*. College Station: Texas A&M University, College of Education.

SOFTWARE PUBLICATIONS:

Chastain, R. L. (1991). *ADMIT: Admissions Testing, Recording and Reporting System*. Northfield, IL: Wonderlic Personnel Test, Inc.

Chastain, R. L. (1991). *Wonderlic Personnel Test, Inc. Personal Computer Version (WPT-PC)*. Northfield, IL: Wonderlic Personnel Test, Inc.

Chastain, R. L., & Jackson, D. N. III. (1990). *Wonderlic Personnel Test Interpretation Software*. Northfield, IL: Wonderlic Personnel Test, Inc.

TECHNICAL REPORTS OR OTHER PUBLICATIONS:

- Chastain, R. L. (1982). Faculty research projects from organized research funds. *Report on Inquiry*, 2(1), 7. College Station, TX: Texas A&M University.
- Chastain, R. L. (1985). *An integrative review of opioid recidivism*. College Station, TX: Texas A&M University, Behavioral Research Program, technical report to National Institute on Drug Abuse.
- Chastain, R. L. (1987). *An IRT application to achievement in Global Understanding: multiple-choice and constructed response*. Palo Alto: Stanford University.
- Chastain, R. L. (1992). *Adaptive processing in complex learning and cognitive performance*. Unpublished Thesis (Ph.D.), Stanford University.
- Chastain, R. L. (1997). *International Conference on Harmonization of Technical Requirements for Registration of Pharmaceuticals for Human Use (ICH): Implications for Global Technical Standards*. Stanford, CA: Stanford University.
- Chastain, R. L. (1999). *What can SAS® Certification do for you or to you? A multi-faceted look at objectives and their functional relationship to job performance*. Paper presented at Western Users of SAS Software.
- Chastain, R. L. (2000). *An Updated Review of SAS® V6 Level I Certification: A Look at Revised Test Objectives, Test Preparation and Test Standards*. Paper presented at Western Users of SAS Software.
- Chastain, R. L. (2000). *An integrated approach in training SAS programmers for clinical trials research*. Technical report. San Jose: Chastain Research Group, Inc.
- Chastain, R. L. (2002). *Psoriasis Area and Severity Index (PASI) and the Overall Lesion Severity Comparisons*. Technical report submitted to FDA. San Jose: Chastain Research Group, Inc.
- Chastain, R. L. (2007). *Interactive Voice Response System (IVRS) Simulation Program Manual Implementing Hierarchical Dynamic Randomization Algorithm*. Technical report. East Palo Alto: Chastain Research Group, Inc.
- Chastain, R. L., Callans, M. C., & Stewart, D. R. (1992). *Wonderlic computerized test score equivalence at Career Development Center*. Technical report. Northfield, IL: Wonderlic Personnel Test.
- Chastain, R. L., & Joe, G. W. (1986). Comparison of multivariate methods to identify between set factors. *Resources in Education*, #268187.
- Chastain, R. L., Lehman, W. E. K., & Joe, G. W. (1985). Estimated Full Scale IQ in an adult heroin addict population. *Resources in Education*, #258099.

TECHNICAL REPORTS OR OTHER PUBLICATIONS (continued):

Chastain, R. L., & Reynolds, C. R. (1984). An analysis of WAIS-R performance by sample stratification variables used during standardization. *Resources in Education*, #249409.

Chastain, R. L., & Willson, V. L. (1986). Estimation of variance components using computer packages. *Resources in Education*, #267126.

Joe, G. W., & Chastain, R. L. (1984). Onset, Continuation, and Termination of Heroin Addiction. *In: Heroin Addiction: 12 Year Post-treatment Follow-up Outcomes*, Symposium conducted at the meeting of the Southwestern Psychological Association, New Orleans.

Joe, G.W., Chastain, R.L., Marsh, K.L., & Simpson, D.D. (1985). *Opioid Recidivism Factors: 12-Year Follow-up of 1969-1972 Admissions to DARP Drug Abuse Treatments*. College Station, TX: Texas A&M University, Behavioral Research Program.

Joe, G.W., Chastain, R.L., & Simpson, D.D. (1985). *Major Domains of Influence Associated with Addiction Career Length: 12-Year Follow-up of 1969-1972 Admission to DARP Drug Abuse Treatments*. College Station, TX: Texas A&M University, Behavioral Research Program.

Joe, G. W., Chastain, R. L. & Simpson, D. D. (1985). *Reasons for initiating, continuing, and quitting opioid addiction*. College Station, TX: Texas A&M University, Behavioral Research Program, technical report to National Institute on Drug Abuse.

Snow, R. E., Chastain, R. L., & Jackson, D. N. III (1992). *Individual differences in adaptive processing in complex learning and cognitive performance*. Stanford, CA: Stanford University, technical report to U. S. Air Force Office of Scientific Research.

Weinberger, D. A., Feldman, S. S., Ford, M. E., & Chastain, R. L. (1987). *Construct validation of the Weinberger Adjustment Inventory*. Stanford, CA: Stanford University.

EXPERT TESTIMONY AND REPORTS:

Chastain, R. L. (1998, October 28). *Declaration of Robert L. Chastain JD, PhD, Esq. in support of ex-parte order(s)*. Written declaration in the Superior Court of the State of California for the County of Santa Clara, Case No. DC98-367142, Robert Chastain and Susan Chastain, Plaintiffs v. Alfred Gene D'amico and Delprado Construction, Defendants.

Chastain, R. L. (1998, December 14). *Review of Wonderlic validity and reliability studies*. Expert Report of Dr. Robert Chastain, Esq. to Dow, Lohnes & Albertson, PLLC representing Computer Learning Centers, Inc. (CLC) in response to the Maryland Higher Education Commission (MHEC).

Chastain, R. L. (1998, December 19). *Summary report re: consultation respecting standardized testing at Computer Learning Centers, Inc. (CLC)*. Expert Report of Dr. Robert Chastain, Esq. to Dow, Lohnes & Albertson, PLLC representing Computer Learning Centers, Inc. (CLC) in response to the Maryland Higher Education Commission (MHEC).

EXPERT TESTIMONY AND REPORTS (continued):

Chastain, R. L. (1998, December 27). *Addendum #1 to summary report re: consultation respecting standardized testing at Computer Learning Centers, Inc. (CLC)*. Expert Report of Dr. Robert Chastain, Esq. to Dow, Lohnes & Albertson, PLLC representing Computer Learning Centers, Inc. (CLC) in response to the Maryland Higher Education Commission (MHEC).

Chastain, R. L. (1999, January 4). *Addendum #2 to summary report re: consultation respecting standardized testing at Computer Learning Centers, Inc. (CLC)*. Expert Report of Dr. Robert Chastain, Esq. to Dow, Lohnes & Albertson, PLLC representing Computer Learning Centers, Inc. (CLC) in response to the Maryland Higher Education Commission (MHEC).

Chastain, R. L. (1999, January 14). *Pre-test study guide and proctor protocol for the Wonderlic Scholastic Level Exam (WSLE) at Computer Learning Centers, Inc. (CLC)*. Expert Report of Dr. Robert Chastain, Esq. to Dow, Lohnes & Albertson, PLLC representing Computer Learning Centers, Inc. (CLC) in response to the Maryland Higher Education Commission (MHEC).

Chastain, R. L. (1999, January 20). *Addendum #3: Rationale for study guide to the Wonderlic Scholastic Level Exam (WSLE) at Computer Learning Centers, Inc. (CLC)*. Expert Report of Dr. Robert Chastain, Esq. to Dow, Lohnes & Albertson, PLLC representing Computer Learning Centers, Inc. (CLC) in response to the Maryland Higher Education Commission (MHEC).

Chastain, R. L. (1999, February 1). *Response to comments from Computer Learning Centers, Inc. (CLC) about study guide to the Wonderlic Scholastic Level Exam (WSLE)*. Expert Report of Dr. Robert Chastain, Esq. to Dow, Lohnes & Albertson, PLLC representing Computer Learning Centers, Inc. (CLC) in response to the Maryland Higher Education Commission (MHEC).

Chastain, R. L. (1999, February 6). *Summary report re: using the Reading Comprehension and Sentence Structure Tests from the Descriptive Tests of Language Skills (DTLS) as an "Ability-To-Benefit" (ATB) Examination*. Expert Report of Dr. Robert Chastain, Esq. to Dow, Lohnes & Albertson, PLLC representing Touro College in response to the United States Department of Education.

Chastain, R. L. (1999, February 27). *Content analysis comparing the 1978 and 1988 Descriptive Tests of Language Skills (DTLS)*. Expert Report of Dr. Robert Chastain, Esq. to Dow, Lohnes & Albertson, PLLC representing Touro College in response to the United States Department of Education.

Chastain, R. L. (1999, March 11). *Affidavit supporting validity of using only two components of the Descriptive Tests of Language Skills (DTLS) rather than using the entire five components of the DTLS*. Written affidavit submitted by Dow, Lohnes & Albertson, PLLC representing Touro College in response to the United States Department of Education.

Chastain, R. L. (1999, June 23). *Conclusions regarding standardized testing with the Wonderlic Scholastic Level Exam (WSLE) at Computer Learning Centers, Inc. (CLC) as Ability-to-Benefit (ATB) Test as defined by United States Department of Education*. Expert Report of Dr. Robert Chastain, Esq. to Dow, Lohnes & Albertson, PLLC representing Computer Learning Centers, Inc. (CLC) in response to the Maryland Higher Education Commission (MHEC).

EXPERT TESTIMONY AND REPORTS (continued):

- Chastain, R. L. (2001, January 2). *Summary report re: the Behaviordata/Behaviordyne Psychodiagnostic Laboratory Report (BPLR) for scoring and interpreting the Minnesota Multiphasic Personality Inventory-2 (MMPI-2) in child custody evaluations.* Expert Report of Dr. Robert Chastain, Esq. in the Superior Court of the State of California for the County of Santa Clara, Case No. 1-94-FL-043510, Killion v. Killion.
- Chastain, R. L. (2001, January 19). *Assessment report #1 re: psychological summary of MMPI-2 findings concerning Donna Fryer.* Expert Report of Dr. Robert L. Chastain, Esq. in the Superior Court of the State of California for the County of San Mateo, Case No. FAM028272, Fryer v. Vidunas.
- Chastain, R. L. (2001, January 23). *Assessment report #2 re: psychological summary of MMPI-2 findings concerning Donna Fryer.* Expert Report of Dr. Robert L. Chastain, Esq. in the Superior Court of the State of California for the County of San Mateo, Case No. FAM028272, Fryer v. Vidunas.
- Chastain, R. L. (2001, February 17). *Summary report re: child custody evaluation issues in the Burnham-Moro Case.* Expert Report of Dr. Robert L. Chastain, Esq. in the Superior Court of the State of California for the County of Santa Clara, Case No. 1-96-FL-060773.
- Chastain, R. L. (2001, June). *Testimony of Dr. Robert Chastain, Esq.* Expert Testimony of Dr. Robert Chastain, Esq. in the Superior Court of the State of California for the County of Santa Clara, Case No. 1-94-FL-043510, Killion v. Killion.
- Chastain, R. L. (2001, September 7). *Declaration of Robert Chastain JD, PhD in support of releasing raw psychological test data to qualified professionals who are not licensed psychologists.* Written declaration in the Superior Court of the State of California for the County of Santa Clara, Case No. 1-96-FL-060773, Burnham v. Moro.
- Chastain, R. L. (2003, May 23). *Declaration of Robert Chastain JD, PhD in support of Plaintiffs' opposition to Defendant's special motion to strike Plaintiffs' complaint as a SLAPP suit pursuant to CCP §425.* Written declaration in the Superior Court of the State of California for the County of Santa Clara, Case No. 1-02-CV-804650, Ferretti v. Everstine.
- Chastain, R. L. (2005, February 4). *Additional citations under FRAP 28(j) in support of plaintiffs and appellants.* Written declaration in the State of California Court of Appeal, Sixth Appellate District, Sixth Civil No. H026613 appealing rulings in Superior Court of the State of California for the County of Santa Clara, Case No. 1-02-CV-804650, Ferretti v. Everstine.
- Chastain, R. L. (2008, August 25). *Declaration of Robert Chastain JD, PhD in support of Qui Tam Relator Donna McLean.* Written declaration in the United States District Court, Northern District of California, Case No. C05-01962 HRL, United States of America, ex. Rel. Donna M. McLean, et al. v. the County of Santa Clara, et al.

PRESENTATIONS (Refereed National or Regional):

- Barona, A., Reynolds, C. R., & Chastain, R. L. (1983, October). *An index of premorbid intelligence for the WAIS-R*. Presented at the National Academy of Neuropsychology Annual Meeting, Houston, TX.
- Chastain, R. L., Huffman, S. P., Maggio, M. C., Ramirez, O. M., Van Dyke, J. S., P. J. Warner, P. J., & Willson, V. L. (1984, January). *Path Models Relating Subject Characteristics to Intelligence in Adults*. Presented at the Southwest Educational Research Association Annual Meeting, Dallas, TX.
- Chastain, R. L., & Willson, V. L. (1984, January). *Variation in the estimation of generalizability coefficients using computer packages*. Presented at the Southwest Educational Research Association Annual Meeting, Dallas, TX.
- Chastain, R. L., & Joe, G. W. (1984, April). *Onset, Continuation, and Termination of Heroin Addiction*. Presented at the Southwestern Psychological Association Annual Meeting, New Orleans, LA.
- Chastain, R. L., & Reynolds, C. R. (1984, August). *Analyzing WAIS-R performance by sample stratification variables used during standardization*. Presented at the American Psychological Association Annual Meeting, Toronto, Canada.
- Lehman, W. E. K., Joe, G. W., & Chastain, R. L. (1985, April). *Analysis of interactive frameworks using canonical correlations*. Presented at the Southwestern Psychological Annual Meeting, Austin, TX.
- Chastain, R. L., Lehman, W. E. K., & Joe, G. W. (1985, April). *Estimated Full Scale IQ In An Adult Heroin Population*. Presented at the Southwestern Psychological Annual Meeting, Austin, TX.
- Barona, A., & Chastain, R. L. (1985, April). *Sex Differences on the K-ABC Spanish Version*. Presented at the National Association of School Psychologists (NASP) Annual Meeting, Las Vegas, NV.
- Chastain, R. L., & Joe, G. W. (1985, August). *Multidimensional relationships in the WAIS-R subscales and demographic variables*. Presented at the American Psychological Association Annual Meeting, Los Angeles, CA.
- Chastain, R. L., & Joe, G. W. (1986, April). *Comparison of Multivariate Methods to Identify Between Set Factors*. Presented at the American Educational Research Association Annual Meeting, San Francisco, CA.
- Chastain, R. L., & Willson, V. L. (1986, April). *Estimation of Variance Components Using Computer Packages*. Presented at the National Council on Measurement in Education Annual Meeting, San Francisco, CA.
- Chastain, R. L., & Snow, R. E. (1988, March). *Cognitive and Motivational Aptitudes Related to Knowledge of the World*. Presented at the American Educational Research Association Annual Meeting, San Francisco, CA.

PRESENTATIONS (Refereed National or Regional)(continued):

Gottlieb, A. B., Hamilton, T. K., Caro, I., Rundle, A. C., Chastain, R. L., & Gordon, K. B. (2004, Summer). *Efficacy and safety outcomes of extended efalizumab therapy in patients with moderate to severe plaque psoriasis*. Presented at the Summer Meeting of the American Academy of Dermatology in New York, NY.

Daus, L., Montgomery, A. B., Heidl, E., Chastain, R., Hamilton, T. K., & Leonardi, C. (2005, February 17-20). *Maintenance of efficacy and safety with continuous efalizumab therapy in patients with moderate to severe chronic plaque psoriasis: Final results from the long-term phase IIIb trial*. Presented at the 23rd Annual Meeting of the Dermatology Nurses Association in New Orleans, LA.

Gottlieb, A. B., Gordon, K. B., Hamilton, T. K., Caro, I., Leonardi, C., & Chastain, R. L. (2005, February 18-22). *Maintenance of efficacy and safety with continuous efalizumab therapy in patients with moderate to severe chronic plaque psoriasis: Final phase IIIb study results*. Presented at the 63rd Annual Meeting of the American Academy of Dermatology in New Orleans, LA.

SELECTED CLINICAL TRIALS - PROTOCOLS:

Protocols written, revised or amended for IRB and FDA submission, including patient informed consent:

- 2001 *A phase I study to determine the skin irritancy and sensitisation potential of Vibriolysin topical in human healthy volunteers*. BioMarin Pharmaceutical Inc.
- 2002 *A study evaluating safety and efficacy of the CliniMACS system for use in autologous PBPC transplantation for B-cell non-Hodgkin's lymphoma and chronic lymphocytic leukemia patients receiving high-dose chemotherapy*. Amcell for Dana Farber Cancer Institute.
- 2003 *A phase IIIb, randomized, double-blind, parallel-group, placebo-controlled, multicenter study to evaluate the efficacy and safety of 1.0 Mg/Kg subcutaneously administered Efalizumab in adults with moderate to severe plaque psoriasis*. Genentech.
- 2003 *An open-label, multicenter study to evaluate the safety of 1.0 Mg/Kg subcutaneously administered Efalizumab in adults with plaque psoriasis previously enrolled in study ACD2600g*. Genentech.
- 2003 *A double-blind, randomized, placebo-controlled, dose-ranging study of intravenous Prochlorperazine in the treatment of headache*. Alexza.
- 2003 *A phase I/II randomized, double-blind, two dose group study of recombinant human N-acetylgalactosamine 4-sulfatase (rhASB) enzyme replacement therapy in patients with Mucopolysaccharidosis VI (Maroteaux-Lamy Syndrome)*. BioMarin Pharmaceutical Inc.
- 2004 *A multicenter, prospective, randomized, controlled study to evaluate the safety and effectiveness of KyphX[®] HV-R as a fixation material in Kyphoplasty procedures in patients with painful vertebral body compression fractures due to Multiple Myeloma or Osteolytic Metastatic Breast Cancer*. Kyphon.

SELECTED CLINICAL TRIALS – PROTOCOLS (continued):

- 2004 *A phase I/II trial of Zometa in patients with Monoclonal Gammopathy of Undetermined Significance (MGUS). Oncotherapeutics.*
- 2004 *An open-label, randomized, multicenter study to evaluate the safety, tolerability, and efficacy of subcutaneously administered Efalizumab used in combination with topical psoriasis therapies for prolonged maintenance treatment. ACD2600g. Genentech.*
- 2004 *An open-label, multicenter study to evaluate the safety of 1.0 Mg/Kg subcutaneously administered Efalizumab in adults with plaque psoriasis previously enrolled in study ACD2600g. ACD2601g. Genentech.*
- 2005 *A phase I randomized double blind, multiple dose, dose escalation study of KB002, a chimeric monoclonal antibody which binds to GM-CSF, in patients with rheumatoid arthritis. KaloBios.*
- 2005 *A double-blind, randomized, placebo-controlled, multiple ascending dose study of TD-2749, a 5-HT₄ Agonist, in healthy female subjects. TD-0025. Theravance.*
- 2005 *A double-blind, randomized, placebo-controlled, multiple dose study of TD-6301 vs. Trosipium on heart rate and safety/tolerability in healthy male and female subjects. TD-0028. Theravance.*
- 2006 *A randomized phase III trial of Paclitaxel versus Paclitaxel plus Bevacizumab (rhuMAb VEGF) as first-line therapy for locally recurrent or Metastatic Breast Cancer. ECOG2100. Genentech.*
- 2007 *A randomized, double-blind, placebo-controlled, phase IIIb trial comparing Bevacizumab therapy with or without Erlotinib after completion of chemotherapy with Bevacizumab for the first-line treatment of locally advanced, recurrent, or Metastatic Non-Small Cell Lung Cancer (ATLAS). AVF3671g. Genentech.*
- 2007 *A placebo-controlled, double-blind, multicenter, randomized, phase II study of Bevacizumab in previously untreated extensive-stage Small Cell Lung Cancer (SALUTE). AVF3995g. Genentech.*
- 2007 *A randomized, controlled, open-label, multicenter, phase II study of the safety and efficacy of Sunitinib in combination with Bevacizumab, Carboplatin, and Paclitaxel in previously untreated patients with advanced Non-Small Cell Lung Cancer (SABRE-L). AVF3996g. Genentech.*
- 2007 *A multicenter, phase II, randomized, controlled trial evaluating the efficacy and safety of Sunitinib in combination with Bevacizumab and Paclitaxel in previously untreated patients with Metastatic Breast Cancer (SABRE-B). AVF4057g. Genentech.*
- 2007 *A multicenter phase II, randomized, blinded, placebo-controlled trial evaluating the efficacy and safety of Sutent with or without Bevacizumab in first-line patients with Metastatic Renal Cell Cancer (SABRE-R). AVF4167g. Genentech.*

SELECTED CLINICAL TRIALS - STATISTICAL ANALYSIS PLANS:

Statistical Analysis Plans (SAPs) written for FDA submission:

- 1993 *A randomized phase III controlled study of the efficacy and safety of maintenance treatment with Oral Ganciclovir for newly diagnosed Cytomegalovirus Retinitis in people with AIDS.* ICM1653 and NDA. Syntex/Roche.
- 2003 *A phase III, multicenter, randomized, active-controlled clinical trial to evaluate the efficacy and safety of rhuMAb VEGF (Bevacizumab) in combination with standard chemotherapy in subjects with Metastatic Colorectal Cancer.* AVF2107g. Genentech.
- 2004 *An open-label, multicenter study to evaluate the safety of 1.0 Mg/Kg subcutaneously administered Efalizumab in adults with plaque psoriasis previously enrolled in study ACD2600g.* ACD2601g. Genentech.
- 2004 *An open label, randomized, multicenter study to evaluate the safety, tolerability, and efficacy of subcutaneously administered Efalizumab used in combination with topical psoriasis therapies for prolonged maintenance treatment.* ACD2243g. Genentech.
- 2004 *An open-label, multicenter study to evaluate the efficacy and safety of 1.0 Mg/Kg subcutaneously administered Efalizumab followed by Efalizumab taper in adults with plaque psoriasis previously enrolled in study ACD2390g.* ACD2391g. Genentech.
- 2005 *A double-blind, randomized, placebo-controlled, single ascending dose study to examine the safety, tolerability and pharmacokinetics of TD-2749, a 5-HT₄ Agonist, in healthy female subjects.* TD-0022. Theravance.
- 2005 *A double-blind, randomized, placebo-controlled, multiple ascending dose study of TD-2749, a 5-HT₄ Agonist, in healthy female subjects.* TD-0025. Theravance.
- 2005 *A double-blind, randomized, placebo-controlled, multiple dose study of TD-6301 vs. Trospium on heart rate and safety/tolerability in healthy male and female subjects.* TD-0028. Theravance.
- 2006 *A randomized phase III trial of Paclitaxel versus Paclitaxel plus Bevacizumab (rhuMAb VEGF) as first-line therapy for locally recurrent or Metastatic Breast Cancer.* ECOG2100. Genentech.
- 2006 *Integrated cardiac toxicity: AVF2309 (Swain), TORI B-02, ECOG2104. A multicenter, placebo-controlled, double-blind randomized Phase II trial of neoadjuvant treatment with single-agent Bevacizumab or placebo, followed by six cycles of Docetaxel, Doxorubicin, and Cyclophosphamide (TAC), with or without Bevacizumab in patients with Stage II or Stage III Breast Cancer.* AVF3299. Genentech. *Phase II feasibility trial incorporating Bevacizumab into dose dense Doxorubicin and Cyclophosphamide followed by Paclitaxel in patients with lymph node positive Breast Cancer.* AVF3336. Genentech.
- 2007 *A randomized, double-blind, placebo-controlled, phase IIIb trial comparing Bevacizumab therapy with or without Erlotinib after completion of chemotherapy with Bevacizumab for the first-line treatment of locally advanced, recurrent, or Metastatic Non-Small Cell Lung Cancer (ATLAS).* AVF3671g. Genentech.

SELECTED CLINICAL TRIALS - STATISTICAL ANALYSIS PLANS (continued):

- 2007 *A placebo-controlled, double-blind, multicenter, randomized, phase II study of Bevacizumab in previously untreated extensive-stage Small Cell Lung Cancer (SALUTE).* AVF3995g. Genentech.
- 2007 *A randomized, controlled, open-label, multicenter, phase II study of the safety and efficacy of Sunitinib in combination with Bevacizumab, Carboplatin, and Paclitaxel in previously untreated patients with advanced Non-Small Cell Lung Cancer (SABRE-L).* AVF3996g. Genentech.
- 2007 *A multicenter, phase II, randomized, controlled trial evaluating the efficacy and safety of Sunitinib in combination with Bevacizumab and Paclitaxel in previously untreated patients with Metastatic Breast Cancer (SABRE-B).* AVF4057g. Genentech.
- 2007 *A multicenter phase II, randomized, blinded, placebo-controlled trial evaluating the efficacy and safety of Sutent with or without Bevacizumab in first-line patients with Metastatic Renal Cell Cancer (SABRE-R).* AVF4167g. Genentech.

CLINICAL TRIALS EXPERIENCE SUMMARY:

- Over 20 years experience as a statistician (ASA member since 1984; Life Member) and statistical programmer (SAS programmer since 1982, SAS® Certified V6 in 1999, V9 in 2007).
- Contract biostatistician to Genentech (3/2002-2/2008) in immunology for psoriasis and asthma BLAs and in oncology for colorectal, lung, renal and breast cancer BLA & sBLAs including ISS and ISE analyses, specifications, mock-ups, protocol design, adaptive IVRS randomizations, clinical study report writing, post-marketing commitments and publications.
- Current strengths include group sequential and adaptive methods for the design, monitoring and analysis of clinical trials (SeqTrial and EAST); adaptive and dynamic hierarchical randomization algorithms (design, implementation and testing with IVRS/IWRS vendors such as ClinPhone, ICON, PPD and UBC); generalized estimating equations (GEE) for categorical data; generalized linear models (GLM) including longitudinal mixed models with random effects; statistical learning methods including least squares and nearest neighbors, classification and regression trees (CART), neural networks, and generalized additive models such as multivariate adaptive regression splines (MARS); coordinating outside vendors/CROs for data monitoring, data management and statistical reports; handling interim analyses and quarterly updates for Data Monitoring Committees (DMCs) and external scientific or safety advisory boards (SABs).
- Broad experience in diverse therapeutic areas doing Phase I-IV clinical trials, post-marketing commitments, advisory committee and other FDA meeting preparations, as well as toxicology, pharmaco-kinetic (PK using WinNonLin), -dynamic (PD), and -economic (PE) research.
- Broad experience in protocol development, IRB or institutional protocol approvals, informed consent, randomization, statistical analysis plans, interim and final analyses, CRF review/design, data management/data quality plans, database locks, and writing clinical study reports.
- RAPS Regulatory Affairs Certified 1999-2002.
- SAS® Certified Professional (V6 in 1999 and V9 in 2007).

MILITARY EXPERIENCE:

7/69-7/72 United States Marine Corps (USMC), Honorable Discharge, service-connected disabled Vietnam veteran, electronics specialist.

REFERENCES:

Edward Haertel, *Associate Dean for Faculty Affairs & Jacks Family Professor of Education*, Stanford University, CU 331, Stanford, CA 94305, (650) 725-1251, haertel@stanford.edu

Dale G. Larson, *Professor*, Department of Counseling Psychology, *Interim Dean*, School of Education, Counseling Psychology and Pastoral Ministries, Santa Clara University, Santa Clara, CA 95053, (408) 554-4320, dlarson@scu.edu

Laurel Beckett, *Professor/Division Chief*, Biostatistics Division, Department of Public Health Sciences, TB-169, University of California, Davis, California 95616, 530-754-7161, labeckett@ucdavis.edu