

Contact Details

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Professional History

- Secretariat Economists
- Economists Incorporated
- University of Toronto, Dept. of Economics
- Princeton University, Woodrow Wilson School of Public Policy
- Princeton Economics Group
- McMillan Binch, Barristers & Solicitors

Education

- Ph.D., Economics, Princeton University
- M.A., Economics, Princeton University
- M.B.A., York University, Schulich School of Business
- LL.B. (J.D.), York University, Osgoode Hall Law School
- B.A., Economics, York University

Laura A. Malowane, Ph.D.

Managing Director

Current Position

Dr. Malowane is a Managing Director with Secretariat Economists.

Professional Experience

Dr. Malowane specializes in analyzing compensatory, punitive, and defamation damages in complex commercial and personal litigation matters, and in assisting with liability and damages issues in class certification litigation. She has worked on behalf of large organizations, such as the Kennedy Center for the Arts and the United States Capital Police, Fortune 100 corporations, and Federal Government agencies such as the Department of Justice, the United States Postal Service, and the Federal Bureau of Investigation. Dr. Malowane's testimony has been admitted in Circuit, District, and Superior Courts, the United States Court of Appeals for the Federal Circuit, the United States Senate, the 9/11 Victims Compensation Fund, the International Trade Commission, and the Federal Communications Commission.

Dr. Malowane is an adjunct lecturer for the University of Toronto's JD/MA Economics program and has previously served as a lecturer at Princeton University in Microeconomics and Statistics.

Dr. Malowane's engagements involve:

Evaluation of Defamation Damages, including

- Assessing lost present and future earnings from being wrongfully labeled as of person of interest by the FBI in an investigation involving anthrax attacks on members of congress and news organizations
- Assessing loss of future earnings and corporate profits from alleged defamation by national media corporations for a Senatorial candidate and former mining company CEO

Economics of Punitive Damages

- Analysis of punishment and incentive components of punitive damages
- Assessment of applicability of punitive damages to facts of individual matters



Analysis of Lost Profits/Firm Value from Breach of Contract, Theft of Trade Secrets, and Tortious Interference

Class Action Certification and Damages Analysis

Damages Stemming from Wrongful Termination and Discrimination, including

- Testimony of lost retirement benefits, stock options, and bonuses for senior executive of large aerospace and defense company
- Assessment of loss of career advancement and earnings for former executive at Fannie Mae

Assessment of Attorney Fee Market Rates, including

- Development of the United States Attorneys Office current Attorney Fee Matrix
- Analysis of availability and statistical soundness of survey data to determine legal fees by geographic region and legal specialty

Evaluation of E-Commerce Taxation, including

 Submitting study to United States Senate Hearing on behalf of Amazon regarding state taxation impact on e-commerce

Damages Stemming from Wrongful Injury and Death, including

The evaluation of medical life-care plans and consumption off-sets

Testimony

- Christopher Cuomo v. Tuner Services, CNN Submitted written expert testimony on behalf of Turner Services and CNN regarding Chris Cuomo's claim of wrongful termination and reputational harm, JAMS Arbitration, New York, New York, Case No. 5424000185, 2023.
- Damilare Sonoiki v. Harvard University, et al. Provided written and deposition testimony on behalf of Harvard University in a claim involving allegations of sexual misconduct, insider trading, and wrongful withholding of a degree; addressed liability and damages component of employment in hedge fund and entertainment industries. United States District Court for the District of Massachusetts, Case No. 1:19-cv-12172, 2023.
- Lisa Page v. U.S. Department of Justice and Federal Bureau of Investigation Provided expert report and deposition testimony on behalf of the FBI and DOJ in a matter involving Privacy Act violation allegations and reputational harm to a former FBI attorney, United States District Court for the District of Columbia, Civil Action No. 1:19-cv-03675, 2022.
- Peter Strzok v. U.S. Department of Justice and Federal Bureau of Investigation Submitted expert report and provided deposition testimony on behalf of Defendants in allegations of Privacy Act violations and reputational harm to a former FBI Deputy Assistant Director, United States District Court for the District of Columbia, Civil Action No. 1:19-cv-2367, 2022.



- Jai Kumar v. Jade Global, Inc. Submitted damages report and provided deposition and hearing testimony on behalf of Plaintiff suing for breach of employment agreement and wrongful termination in the state of California, American Arbitration Association, AAA Case No. 01-20-0016-0647, 2022.
- Juan Cobbin v. United States Capitol Police Submitted report and assisted United States Capitol Police with assessment of earnings losses for Officer involuntarily transferred to another position, Office of Congressional Workplace Rights, Case No. 21-CP-10 (CV, RP), 2022.
- Ludovic Michaud et al. v. United States Submitted expert report and provided trial and deposition testimony on behalf of the United States concerning damages from the wrongful death of Esther Nakajjigo while visiting Arches National Park, United States District Court, District of Utah, Central Division, Case No. 2:21-cv-000722-BSJ, 2022.
- Bryndon Fisher, Individually and on Behalf of All Others Similarly Situated, v. The United States of America Served as damages and liability expert in a class action matter involving alleged overcharges to users of the Federal Judiciary's PACER system, United States Court of Federal Claims, No. 15-1575C, 2021.
- Don Blankenship v. Andrew Napolitano, Fox News Network, et al., Submitted expert opinion on behalf of media defendants (ABC, Washington Post, CBS, NBC, and Fox News) regarding causation and damages in defamation and conspiracy to defame claim, United States District Court Southern District of West Virginia, Charleston Division, Case No. 2:19-cv-00236, 2021.
- National Family Farm Coalition, et al., v. United States Environmental Protection Agency, et. al Utilized survey data to determine market rates for attorneys practicing environmental litigation in San Francisco and in Portland. Filed report and supplemental report on behalf of defendant, in the United States Court of Appeals for the Ninth District, Case No:19-70115, 2021.
- Smithfield Packaged Meats Sales Corp., v. Dietz & Watson, Inc. Submitted Expert Report on behalf
 of deli meat manufacturer regarding future lost sales and profits resulting from theft of trade secrets,
 United States District Court, Southern District of Iowa, Western Division, 2021.
- The Coalition to Protect Puget Sound Habitat v. U.S. Army Corps of Engineers, and Taylor Shellfish Company Inc. Submitted expert report on behalf of defendant regarding market rates for attorneys practicing environmental litigation in Seattle, in the United States District Court Western District of Washington at Seattle, No: 2:16-CV-00950-RSL, 2021.
- Arren Dodson v. United States Capitol Police Provided written report and oral testimony at deposition on behalf of US Capitol Police regarding damage assessment in discrimination and wrongful dismissal claim, United States District Court for the District of Columbia, Civil Action No. 18-2680-RDM, 2020.
- Banafshe Alavi v. U.S. Agency for Global Media Submitted expert report in case alleging that Voice
 of America, USAGM, is liable for wrongful termination, sexual harassment, and claim, United States
 District Court for the District of Columbia, Civil Action No. 1:15-cv-02146, 2020.



- **Kiflu Shimiles v. The United States of America** Submitted expert testimony on behalf of Federal Bureau of Investigations in wrongful injury claim, Civil Action No. 1:19-cv-02044, 2020.
- Lisa Niles v. United States Capitol Police Submitted expert report on behalf of U.S. Capitol Police analyzing damages in wrongful termination matter, United States District Court for the District of Columbia, Case 1:16-CV-01209, 2020.
- Joshua Librera v. The United States of America Assessed wrongful injury damages and submitted expert report on behalf the United States Department of Labor, United States District Court for the District of Columbia, Case No. 1:18-cv-01106, 2020.
- John G. Richardson v. Department of Homeland Security Provided expert report on behalf of defendants concerning damages in disability discrimination claim, United States District Court for the District of Columbia, Case No. 1:17-CV-1588, 2019.
- Camelia J. Boykin and Estate of Carl W. Boykin v. United States of America Provided expert report
 on behalf of defendants concerning damages in wrongful death matter concerning Veteran Affairs
 medical care, United States District Court for the District of Columbia, Civil Action No. 1:17-CV02569, 2019.
- Courtney Colbert v. United States of America Submitted expert report on behalf of the John F.
 Kennedy Center regarding wrongful injury damages stemming from paid and unpaid leave of
 absences taken from the Federal Government, United States District Court for the District of Columbia,
 Case No. 1:17-CV-02040, 2019.
- Rosetta B. Davis v. Sonny Perdue Submitted rebuttal report on behalf of the USDA with respect to unpaid and paid leave stemming from alleged retaliation for EEO complaints, United States District Court for the District of Columbia, Case No. 1:17-cv-00245, 2019.
- Patricia D. Lewis v. The District of Columbia Submitted expert report regarding appropriate attorney rate matrix to use for the calculation of reasonable attorney fees, United States District Court for the District of Columbia, Civil Action No. 15-521, 2018.
- Stephen C. Jackson v. General Motors et al Submitted expert report on behalf of defendants regarding damages in product liability matter, Court of Common Pleas of Allegheny County, Pennsylvania, No.: GD 09-019676, 2018.
- James E. Orlofske v. United States of America Submitted expert report addressing lost wages and life care expenses on behalf of defendant in wrongful injury matter, United States District Court for the District of Columbia, Case No.: 1:17-CV-00295, 2018.
- Sharon L. Frierson v. United States of America Submitted expert report regarding lost pension, social security benefits, and household contributions on behalf of defendant in wrongful death matter, United States District Court, District of Vermont, Civil Action No. 5-17-CV-00247, 2018.
- Hermelinda Alvarado-Escobedo v. United States of America, et al. Provided expert report on behalf of defendants regarding wrongful death damages stemming from the death of an illegal



immigrant, United States District Court for the District of New Mexico, Civ No. 16-cv-1235, Civ No. 18-cv-00169, 2018.

- Michelle Donahue v. Elaine Duke US Department of Homeland Security Provided expert report
 on behalf of defendants in discrimination and wrongful termination matter, United States District
 Court for the District of Columbia, Case No. 16-CV-02443, 2018.
- David Grimaldi v. Thomas Gordon and New Castle County Provided expert report on behalf of defendants regarding damages in defamation matter, Superior Court of the State of Delaware in and for New Castle County, C.A. No. N15C-12096, 2018.
- Tiemoko Coulibaly v. Michael Pompeo, U.S. Secretary of State, et al. Provided deposition testimony and expert report on behalf of defendants regarding damages in discrimination and wrongful termination matter, United States District Court for the District of Columbia, Civil Action Nos: 14-0189, 14-0712, 2018.
- Velva B., et al. v. Megan J. Brennan, Postmaster General, United States Postal Service Submitted declaration on behalf of USPS regarding appropriate attorney rates for calculating reasonable fees in a Class Action matter, EEOC Case No. 520-2010-00280X, Agency No. 4B-140-0062-06, 2018.
- DL, et al. v. The District of Columbia Provided declaration on behalf of defendant regarding the reliability and applicability of three competing attorney-fee matrixes for assessing attorney fees, United States District Court for the District of Columbia, Civil Action No. 05-1437, 2017.
- Jodi Breiterman v. The U.S. Capitol Police Provided expert report on behalf of defendant in wrongful termination and discrimination matter, United States District Court for the District of Columbia, Case 1:16-CV-00893-TSC, 2017.
- Shawn Imitates Dog v. United States of America Submitted Expert Report on behalf of defendant regarding damages in wrongful death matter, United States District Court, District of South Dakota, Western Division, Civil Action No. 16-5040, 2017.
- Chrisavgi Sourgoutsis v. United States Capitol Police Provided assessment of damages on behalf
 of defendant in a wrongful termination and discrimination matter, United States District Court for the
 District of Columbia, Case 1:16-CV-01096-KPJ, 2017, 2019.
- Renee A. Parker v. Loretta E. Lynch, The Attorney General of the United States Provided assessment of damages on behalf of defendant in a Department of Justice wrongful termination matter, United States District Court for the District of Columbia, Case 1:16-CV-00862-ABJ, 2017.
- Angela Clemente v. Federal Bureau of Investigation Provided declaration on behalf of defendants regarding the appropriateness of two competing matrixes for assessing attorneys' fees, United States District Court for the District of Columbia, Civil Action No. 08-1252 (BJR), 2016.
- Bonstra Haresign Architects v. Capitol Luxury Development, et al. Provided opinion on behalf of defendants with regard to damages of a property development as a result of architect negligence, Superior Court for the District of Columbia, Civil Division, Case No. 2016 CA 000179B, 2016.



- Premium Pet Health v. All American Pet Proteins, et al. Provided report and rebuttal report on behalf of plaintiff regarding damages and lost profits due to tortious interference, employee misconduct and breaches of loyalty, District Court, Denver County, Colorado, Case Number: 2014cv31356, Div./Ctrm.: 259, 2015.
- Rose Paasch v. National Rural Electric Cooperative Association Provided assessment of damages
 on behalf of defendant in a wrongful termination matter, In the United States District Court for the
 Eastern District Court of Virginia, Case No. 1:15cv1638, 2015.
- Robert D. Huber, Jr. v. United States of America Provided a life care damages report on behalf of defendant in a wrongful injury matter, United States District Court for the District of Columbia, Civil Action No. 14-CV-01380 TSC, 2015.
- Caroline Herron v. Fannie Mae Provided expert report and deposition testimony on behalf of defendant regarding damages in a wrongful termination and defamation claim, United States District Court for the District of Columbia, Civil Action No. 10-943 (RMC), 2015.
- Citizens for Responsibility and Ethics in Washington v. U.S. Department of Justice Provided declaration on behalf of defendant regarding proper methodology and data sources for assessing attorneys' fees, United States District Court for the District of Columbia, Civ. No. 12-1491 (JDB), 2015.
- Wilma Eley v. District of Columbia Declaration regarding attorneys' fees in a separate matter (Civ. No. 12-1491) filed by United States in support of its Statement of Interest, United States District Court for the District of Columbia, Civil Action No. 11-0309 (BAH), 2015.
- Laura J. Makray v. Thomas E. Perez, Secretary of Labor Provided declaration and supplemental
 declaration on behalf of defendants regarding rate matrixes to use for assessing attorneys' fees,
 United States District Court for the District of Columbia, Civil Action No. 12-0520 (BAH), 2015.
- Citizens for Responsibility and Ethics in Washington v. U.S. Department of Veterans Affairs –
 Provided declaration on behalf of defendants regarding rate matrixes to use for assessing attorneys'
 fees, United States District Court for the District of Columbia, Civil Action No. 08-1481 (PLF), 2015.
- Steven Farrell v. Great Eastern Resort Corporation, et al. Provided report on behalf of plaintiff to
 address antitrust and economic issues in the timeshare industry, in the United States District Court for
 the Western District of Virginia, Harrisonburg Division, No. 5:13 CV 00075, 2013.
- Gary Martin v. United States of America Provided expert report and deposition testimony on behalf
 of defendant regarding damages in a wrongful death claim, in the United States District Court for the
 District of New Hampshire, No. 11-CV-593-JL, 2013.
- Elizabeth Abel, et al. v. CSX Transportation, et al. Provided declaration on behalf of defendants regarding punitive damages in a railway accident matter, in the Philadelphia County Court of Common Pleas, No. 000769, 2013.
- Congressional Hearing Re: Online Sales and Taxation Opinion presented before US Senate Hearing concerning e-commerce sales volume and taxation, April 25, 2012.



- Fred E. Evans, et al. v. United States, and Edward L. Bright, II et al. v. United States Provided declaration on behalf of plaintiffs regarding the competitive market rates of attorneys, in the United States Court of Appeals for the Federal Circuit, No. 2010-1303 and No. 2010-1385, 2012.
- Cynthia Hyland v. Raytheon Company, Raytheon Technical Services Company, Heidrick & Struggles, Inc., Bryan J. Even, and Laura Miller Provided report and trial testimony on behalf of defendant regarding damages in retrial of defamation and wrongful termination case, in the Circuit Court for Fairfax County at Law No. 221038, 2012.
- Michael Akosile v. Armed Forces Retirement Home Provided report on behalf of defendants with respect to the state of the job market for health care workers, in the United States District Court for the District of Columbia, No. 09-CV-173 (RBW), 2012.
- Steven J. Hatfill, M.D., v. John Ashcroft, et al. Provided report and deposition testimony on behalf of the Department of Justice regarding damages stemming from alleged violation of constitutional rights and defamation of an individual labeled as a person of interest in the investigation of the mailing of lethal Anthrax letters to Members of Congress, The New York Times, and the Washington Post, United States District Court for the District of Columbia, Civ.A. No.03-1793 (RBW).
- Beth M. Norden v. G. Wayne Clough, Secretary, Smithsonian Institution Provided affidavit on behalf of the Smithsonian Institution addressing acceptable methods for assessing attorneys' fees, in the United States District Court for the District of Columbia, Case No. 05-1232 (RMC).
- Dorothy L. Biery, et al, and Jerramy and Erin Pankratz, et al. v. The United States Provided declaration on behalf of plaintiffs regarding the relevant market for attorney fees and the reasonableness of current billing rates, in the United States Court of Federal Claims, No. 07-693L and 07-675L, 2012.
- Mohammed Amin Kakeh v. United Planning Organization Provided affidavit regarding the appropriate method to use to value attorney fees, in the United States District Court for the District of Columbia, No. 1:05-CV-1271 (GK/JMF).
- Margaret A. Burnette v. Vangent Provided expert report on behalf of defendant on the valuation of damages stemming from allegations of sexual discrimination and wrongful termination, in the United States District Court for the Eastern District of Virginia (Alexandria Division), No. 1:10 CV 1079, 2011.
- Reginald G. Moore, et al. v. U.S. Department of Homeland Security Provided declaration on behalf
 of the Department of Homeland Security regarding appropriate statistical methods in relation to a
 discrimination matter of Secret Service employees, in the United States District Court for the District
 of Columbia, Civ. No. 000-953 (RWR/OAR), 2010.
- Queen Anne's Conservation Association v. United States Department of State Provided declaration on behalf of defendant regarding the appropriate use of the Laffey Matrix for the calculation of attorney's fees, in the United States District Court for the District of Columbia, No. 10-0670 (CKK), 2010.



- Oscar Salazar, et al. v. District of Columbia, et al. Provided affidavit on behalf of defendants regarding the appropriate method for determining attorneys' fees, in the United States Court for the District of Columbia, No. 93-452 (GK), 2010.
- American Thoracic Society v. American Lung Association Provided affidavit on behalf of defendant regarding the use of discount rates and consumer price indexes to properly capture the time value of money in present and future income, in the Superior Court of the District of Columbia, No. 2009 CA 004543 B, 2010.
- Dick Anthony Heller v. The District of Columbia Provided declaration on behalf of defendant in relation to the appropriate methods for valuing attorneys' fees and the usage of the Laffey Matrix, in the United States District Court for the District of Columbia, No. 03-CV-0213-EGS, 2010.
- Gist and Herlin Press v. Jeffery Poland and The Pension Service, Inc. Provided economic analysis
 and deposition testimony on behalf of plaintiffs regarding damages stemming from erroneous pension
 funding estimates, in the Superior Court for the Judicial District of Waterbury, No: X10 UWY-CV-0540101305.
- Cynthia Hyland v. Raytheon Company and Raytheon Technical Services Company Provided report, trial, and deposition testimony on behalf of defendant regarding damages in defamation and wrongful termination case, in the U.S. District Court for the Eastern District of Virginia (Alexandria Division), No. 1:04CV1273, 2005; Circuit Court for Fairfax County at Law No. 221038.
- Victoria Gray v. American Academy of Achievement Provided affidavit on behalf of defendants regarding analysis of damages from breach of services contract, Superior Court of the District of Columbia, No. 04ca003012, 2005.
- Neurology Services v. Fairfax Medical Provided affidavit on behalf of defendant regarding economic losses in a breach of contract case, in the Circuit Court for Fairfax County, No. L220451, 2005.
- Mario Panayutidis v. Bill Page Imports Provided report on behalf of defendants regarding damages in a wrongful termination case, in the U.S. District Court for the Eastern District of Virginia (Alexandria Division), No. 1:05CV604, 2005.
- Kevin T. Keleghen v. Sears, Roebuck and Co. Provided affidavit and deposition testimony on analysis of economic losses on behalf of plaintiff in defamation and breach of contract case, Circuit Court of the Nineteenth Judicial Circuit Lake County, Illinois, No. 02L938, 2005.
- World Trade Center, Victims Compensation Fund: Raymond Murphy Co-authored written report and provided oral expert testimony before the Victims Compensation Fund regarding economic losses to the family of a New York firefighter that died on 9/11.
- World Trade Center, Victims Compensation Fund: Dennis McHugh Co-authored written report and provided oral expert testimony before the Victims Compensation Fund regarding economic losses to the family of a New York firefighter that died on 9/11.



- World Trade Center, Victims Compensation Fund: Robert Crawford Co-authored written report and provided oral expert testimony before the Victims Compensation Fund regarding economic losses to the family of a New York firefighter that died on 9/11.
- World Trade Center, Victims Compensation Fund: Thomas Farino Co-Authored written report and provided oral expert testimony before the Victims Compensation Fund regarding economic losses to the family of a New York firefighter that died on 9/11.
- World Trade Center, Victims Compensation Fund: James Corrigan Co-authored written expert testimony to the Victims Compensation Fund regarding economic losses to the family of a retired New York firefighter that died on 9/11.
- World Trade Center, Victims Compensation Fund: John Moran Co-authored written expert testimony to the Victims Compensation Fund regarding economic losses to the family of a New York firefighter that died on 9/11.
- World Trade Center, Victims Compensation Fund: Nathaniel Webb Co-authored written expert testimony to the Victims Compensation Fund regarding economic losses to the family of a Port Authority police officer that died on 9/11.
- Section 201 Steel Co-authored written expert testimony for the International Trade Commission regarding the financial and economic state of the domestic steel industry, 2001 (No. 201-TA-073).
- Lockheed Martin/COMSAT Co-authored written expert testimony to the Federal Communications
 Commission regarding an analysis of the competitive impact of a proposed merger in the satellite
 industry, 1999.

Other Engagements

- Punitive Damages Analysis: Trucking and Potato Chip Industry Outlined the economics of punitive damages and its applicability to a trucking accident involving the transport of potatoes, 2021.
- Amazon Study: Taxation of E-commerce Performed studies on effects of taxation on internet transactions of various sized firms, 2004, 2009, 2012, 2014, 2017.
- Development of Attorney Fee Matrix for Department of Justice Assisted Department of Justice with development of a new attorney's fees matrix (USAO Matrix) to be used in place of previous years' Laffey Matrix, 2015.
- Asbestos and RICO Litigation Performed damage analysis on behalf of plaintiff in a claim under the Racketeer Influenced and Corrupt Organizations Act (RICO), 2012.
- Sue O'Brien et. al. v. Leegin Creative Leather Products, Inc. Assistance with liability and damages in resale price maintenance case, in the Eighteenth Judicial District Court, Sedgwick County, Kansas, Civil Department, No. 04CV1688.



- Unions and RICO Litigation Performed damage analysis on behalf of plaintiff regarding contract interference and allegations under the Racketeer Influenced and Corrupt Organizations Act (RICO), 2011.
- In Re: Ideal Mortgage Bankers, Ltd. Performed damage analysis on behalf of defendant in class action case involving alleged violation of the Fair Labor Standards Act, 2008.

Publications

- "Estimating Lost Earnings for a Single Plaintiff," Economists Ink, Spring 2015 (with Benjamin S. Shippen).
- "Wrongful Death Damages and Personal Consumption Offsets," Economists Ink, Winter 2015.
- "E-Commerce Tax Implications of the Marketplace Fairness Act," Economists Ink, Winter 2014.
- "Online Retail Sellers and Sales Volume Thresholds," Hearing Before The Committee on Finance, United States Senate, One Hundred Twelfth Congress, Second Session, April 25, 2012 (with Stephen Siwek)
- "Supreme Court Ruling Concerns Antitrust Fines and Evidence of Economic Effects," *Economists Ink*, Fall 2012.
- "Calculating Awards of Attorney Fees," Economists Ink, Summer 2011.
- "Resale Price Maintenance and the Rule of Reason," ABA Section of Antitrust Law, Economics Committee Newsletter, Volume 10, Number 1, Summer 2010 (with Allison Holt).
- "Assessing Monopolization Claims in the Face of Innovation," Economists Ink, December 2009 (with Barry C. Harris and Matthew B. Wright).
- "Resale Price Maintenance and the Rule of Reason," *Economists Ink*, Summer 2008.
- "Geographic Market Definition In Markets with Imports: Evolution of Antitrust Agency Analysis," *The Threshold*, 2007 (with Philip Nelson and Robert Kneuper).
- "Imports and Geographic Market Definition," Economists Ink, Spring 2007.
- "The Deterrence Value of Punitive Damages," Economists Ink, Fall 2001 (with Jonathan Walker).
- "Exporters to the U.S. Apparel Industry: The Significance of Geographic Proximity," Economists Ink, Fall 1998.

