Nick Ferrara

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At DisputeSoft, Nick has been an integral part of more than 35 cases, spanning numerous commercial industries and all of DisputeSoft's core practice areas. Nick's case experience includes code reviews of programs written in various programming languages, including C#, C, C++, Java, SQL, Visual FoxPro, ColdFusion, and Prolog. His code review work has covered everything from analyzing the architecture of large scale, multi-tier information systems to examinations of low-level smartphone firmware code.

In addition, Nick has extensive experience on cases involving failed software projects. Nick has worked on multiple cases in which unit, functional, and performance testing results were at issue, and he has experience with a number of industry standard software testing tools, including HP ALM, LoadRunner, and Rational. Nick's testing experience also includes the application of industry standard techniques for defect analysis, including the analysis of defect open/close rates, average times-to-close, and technical debt estimation.

Nick has also assisted in a number of computer forensic investigations. These investigations have included the examination of unallocated hard drive clusters for evidence of spoliation, research into Windows time logs and system clock synchronization protocols, and extraction of smartphone data logs for evidence of executive misconduct.

Prior to joining DisputeSoft, Nick held a position on the legislative staff of a Member of the U.S House of Representatives and handled a legislative portfolio including science and technology, telecommunications, intellectual property, and cyber security. In addition to his legislative experience, Nick has worked on the staff of several Congressional campaigns where he was the system administrator of campaign IT infrastructure and computer security.

Below are representative examples of Nick's skills:

Nick was designated as a testifying expert in Prosuite Software Limited, et al. v. InfoKey Inc., et al., a copyright infringement matter regarding software for creating and managing real estate documents. Nick compared the parties' sets of source code, including database schema and stored procedures, to determine if there was any evidence of copyright infringement. Furthermore, Nick investigated whether the source code at issue was protected under the terms of the parties' contract. Nick testified that none of the protected source code was present in the accused software product.

Nick served as a consulting expert in Apple v. HTC Corporation, an International Trade Commission patent infringement dispute. Nick's work included analysis of substantial portions of the audio/video subsystems of certain HTC smartphones, including their underlying firmware code. His analysis supported contentions of patent invalidity, non-infringement, and lack of domestic industry.

In a state administrative hearing between Federal Signal Technologies, LLC and the Texas Department of Transportation, Nick conducted an analysis to determine what percentage of a project was completed by the plaintiff prior to the defendant's termination of the project for convenience. As a typical project management percent-complete calculation techniques such as earned value management was not possible in this case, Nick developed a model for calculating the percent complete for each deliverable based upon both the parties' document approval process and a baseline of work completed using as-planned schedules.

EDUCATION

B.A., Oberlin College

PREVIOUS CASES

InDyne, Inc. v. Abacus Technology Corp.

Certification Trendz v. Zhou, et al.

Apple v. HTC

TCHC v. ISSI Systems

CERTIFICATIONS

EnCase Certified Examiner (EnCE)

The Studer Group LLC v. The Cleveland Clinic Foundation

Geologic Computer Systems, Inc. v. John D. Maclean, et al

General Electric v. Mitsubishi Heavy Industries