

## Mark A. Funk, MBA, PE

Managing Director

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## Curriculum Vitae

Mark is a Managing Director at Credibility International with over 30 years of experience providing consulting services for companies, government entities, and legal counsel across a range of industries including mining, oil & gas, energy, metals, financial services, and industrial manufacturing and process industries. Mark's experience involves breach of contract disputes, investment arbitration matters, regulatory proceedings, forensic accounting investigations, and insolvency matters. He has consulted on damages analyses involving complex contract disputes, valuations, lost profits analysis, investigations and bankruptcies. Mark holds a Masters of Business Administration degree in Finance & International Business from the University of Chicago and a Bachelor of Science degree in Engineering from the University of Illinois at Urbana-Champaign.

## Professional Experience

Prior to joining Credibility International, Mark was an independent management consultant from 2009 to 2015, where he advised executive leadership around the world on critical strategic and financial issues across a broad range of industries. Prior to that, Mark was with: (1) Booz Allen Hamilton from 2004 to 2009 as a principal and a leader in its Strategy and Operations Performance Improvement Practice; (2) A.T. Kearney from 1997 to 2004, where he was a leader in its Performance Improvement and Merger Integration Consulting Practices; (3) Baxter International from 1991 to 1997, as director of Global Strategic Planning; and (4) Schlumberger Ltd. from 1984 to 1989, as a senior technical oilfield services consultant.

## Testimonial Experience

Mark has testified or submitted expert testimony primarily relating to damages, economics and financial issues in the following matters:

- Traxys Europe S.A. v. Khingan Resources Limited; Expropriation; LCIA Case No. 205003. Testified in virtual hearing in Sept. 2021 and filed expert report on damages in July 2021 related to expropriation of tin mining operation in Russia. Work on this matter included valuation and lost profit assessments. (Engaged by Respondent: parties from UK and Hong Kong).
- State Development Corporation v. Ukraine; Expropriation; SCC. Filed expert report on damages in July 2021 (hearing scheduled in June 2022) related to expropriation of bank investments. (Engaged by Claimant: parties from Russia and Ukraine).

## Consulting Engagement Experience

Representative examples of Mark's consulting engagement experience include:

### Disputes

- North American Oil and Gas Arbitration; Expropriation; ICSID. Dispute involving major oil pipeline project from Canada to the US. Leading team in valuation and lost profits analysis. This is the largest arbitration matter in the history of the North America Free Trade Agreement.
- African Power Plant Arbitration; Breach of Contract; UNCITRAL. Dispute involving electric power plant project in Ghana. Leading team in valuation of power plant investments and lost profits analysis.

- Eastern European Mining Arbitration; Expropriation; PCA. Dispute involving lead and zinc mine. Leading team in valuation of the mining business and lost profits analysis.
- Latin America Mining and Materials Distribution Arbitration; Expropriation; ICSID. Dispute involving major limestone quarry in Mexico. Led team in valuation of mining operations and lost profits analysis.
- Southeast Asian Mining Arbitration; Expropriation; PCA. Dispute involving gold mine production operations and exploration properties in Thailand. Led team in valuation of mining operations and exploration investments and lost profits analysis.
- European Metals Processing Arbitration; Expropriation; ICSID. Dispute involving major aluminum production facility in Ukraine. Led team in analysis of lost profits and valuation of investments.
- Latin America Mining Arbitration; Expropriation; ICSID. Dispute involving exploration/development stage gold mining project in Costa Rica. Led team in valuation analysis of project investments.
- South America Renewable Energy; Breach of Contract; ICC. Dispute involving the development and operation of major wind farm project in Peru. Led team in analysis of project financial returns and investments.
- Central Asia Mining Arbitration; Expropriation; PCA. Dispute involving major joint venture gold and copper mining project in Pakistan. Led team in complex financial modeling to assess valuation of investments related to the mine's development.
- South America Pulp and Paper Arbitration; Breach of Contract; ICC. Dispute involving a paper and pulp business in Brazil. Led team in financial analysis related to failed acquisition of the Brazilian pulp and paper business by an Asian conglomerate.
- South America Oil and Gas Arbitration; Expropriation. Dispute involving major global oil company's oil & gas exploration and production assets in Bolivia. Led team in the valuation of Bolivian oil & gas facilities and properties.
- Retail and Consumer Products; Malpractice. Dispute involving major US consumer product company's import duties related to China manufacturing. Led team in financial analysis of excess duties costs and impact on lost profits.
- US Financial Services; Breach of Contract. Dispute involving payday loans of major regional bank. Led team in financial analysis of damages related to alleged overcharging of payday loans.

### Management Consulting

- Acquisition and Divestiture Strategies. Managed analysis leading to strategy for leading oil and gas company's acquisition and divestiture strategy of exploration and production properties and downstream processing facilities.
- Merger Integration. Co-led post-merger integration of operations for three of the top six oil industry mergers and acquisitions. Delivered merger synergy savings of several hundred millions of dollars for clients.
- Growth Strategies. Developed and implemented strategic plans for major international oil company's entry into new exploration and production projects and new ventures into alternative energy projects.
- Corporate Capital Planning. Led the analysis, planning and prioritization of multi-billion-dollar capital project expansion program for global oil and gas production company.
- Major Capital Project Management. Led the planning and execution of multi-billion-dollar joint-venture Liquefied Natural Gas (LNG) project in Western Canada. Scope of project included gas production, gathering, pipeline, processing and transportation to end customers in Japan. Managed

and coordinated multiple stakeholders including construction contractors, shippers, regulatory agencies, and landowners.

- Global Manufacturing Strategy. Led the planning and execution of global sourcing and manufacturing capacity planning of worldwide portfolio of manufactured products for leading medical products company.
- Operations Performance Improvement. Developed and implemented global Operational Excellence initiative to help major electric utility company achieve top-quintile industry performance in growth, operating efficiency and returns on capital investment.
- Strategic Technology Development. Led technology development strategy for global oil and gas company to improve financial returns and speed to market for its deep-water oil exploration & production ventures.
- Retail Supply Chain Management. Led the transformation of supply management strategy for a leading retailer. Results dramatically improved profitability, inventory levels, and in-stock service performance.

### Education

- Masters of Business Administration, University of Chicago Booth School of Business, Chicago, IL
- Bachelor of Science in Engineering, University of Illinois, Urbana-Champaign, IL

### Professional Certifications and Associations

- Professional Engineer (State of Texas)
- Member, National Society of Petroleum Engineers (NSPE)
- Member, Association for Supply Chain Management (ASCM)