

David W. Rismann, CFCE, CCFT

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SUMMARY

Mr. Rismann has been working with computers and developing software since the mid 1980s and has been a practicing forensic computer examiner assisting attorneys with technical litigation since 2000. In that capacity, Mr. Rismann has worked on plaintiff and defense cases, civil and criminal cases, and has served in the capacity of specially-appointed court master for the purpose of preserving evidence.

Case Profile (as of April 23, 2010)

Description	Number
Plaintiff Cases	46
Defense Cases	89
Court Master	1
Civil Cases	108
Criminal Cases	28
Deposition Testimony	6
Qualified Expert Testimony	5

Testimony

Aug 21, 2009 Deposition, *Nulinx v. Servue*
May 15, 2009 Federal Court, Los Angeles, CA, *United States v. Carl Tisthammer*
Sep 16, 2008 Deposition, *Nutt et al v. Nicholas Applegate Capital Management*
May 9, 2008 Superior Court, Los Angeles, CA, *People v. Alexander*
Oct 16, 2007 Deposition, *Mohundro v. Miller*
Jan 16, 2006 Deposition, *Ferderbar v. Gourley*
Nov 28, 2005 Superior Court, Compton, CA, *Sierra Pacific, v. OEM Designs*
Jan 11, 2005 Deposition, *Waytashek v. ASCAR Business Systems*
Nov 23, 2004 Superior Court, Riverside, CA, *People v. Toyin Dawodu*
Jun 10, 2004 Federal Court, Los Angeles, CA, *United States v. Cynthia Larson*
Jul 2, 2003 Deposition, *Beckman Coulter v. Flextronics*

EXPERIENCE

David Rismann Consultants Incorporated, West Hills

President, February 1998, Present

Full service IS/IT consulting firm dedicated to small-medium sized businesses, specializing in forensic computer analysis and support for attorneys involved in technical litigation.

Projects

2010

- ~ Insurance Investigation, *Michael J. Zuckerman Esq., Osman & Associates*, (818) 502-6477
- ~ Insurance Investigation, *Michael J. Zuckerman Esq., Osman & Associates*, (818) 502-6477
- ~ Criminal Defense, *Joel Thvedt, Bensinger, Ritt, Tai & Thvedt*, (626) 685-2550
- ~ Criminal Defense, *Larry Bakman Esq.*, (310) 772-2233
- ~ Divorce/Child Custody Matter, *Larry Bakman Esq.*, (310) 772-2233

2009

- ~ Divorce/Custody Matter, *Larry Bakman Esq.*, (310) 772-2233
- ~ Hard Disk Imaging/Replication, *Tom Robins, Franzel Robins Bloom & Csato, L.C.*, (323) 658-9703
- ~ Election Tampering, *Larry Bakman Esq.*, (310) 772-2233
- ~ Banking/Real Estate Matter, *Tom Robins, Franzel Robins Bloom & Csato, L.C.*, (323) 658-9703

- ~ Breach of Contract, *Carolyn Mathews, Murchison & Cumming LLP*, (213) 630-1068
- ~ Copyright Infringement, *Stuart Carroll Esq.*, (310) 443-0600
- ~ Trade Secret Misappropriation, *Mia Farber, Jackson Lewis* (213) 689-0404
- ~ Criminal Defense, *Leonard Levine Esq.*, (310) 286-9969
- ~ Criminal Defense, *Larry Bakman Esq.*, (310) 772-2233
- ~ Trade Secret Misappropriation, *Anne Guevara, Poindexter & Doutre, Inc.* (213) 628-8297
- ~ Criminal Defense, *Edward Robinson, Esq.*, (310) 316-9333
- ~ Criminal Defense, *Edward Robinson, Esq.*, (310) 316-9333
- ~ Criminal Defense, *Larry Bakman Esq.*, (310) 772-2233
- ~ Consultation, Criminal Defense case, *Sonia Chahin Esq.*, (818) 549-0149
- ~ Data Recovery, *Confidential*
- ~ Criminal Defense, *Leonard Levine Esq.*, (310) 286-9969
- ~ Criminal Defense, *Sonia Chahin Esq.*, (818) 549-0149

2008

- ~ Criminal Defense, *Larry Bakman Esq.*, (310) 772-2233
- ~ Criminal Defense, *Larry Miranda, Bien & Robinson*, (818) 757-2111
- ~ Trade Secret Misappropriation, *Stephen Hyam, Clark & Trevithick*, (213) 629-5700
- ~ Divorce, *John Cosgrove, Cosgrove Computer Systems*, (310) 823-9448
- ~ Criminal Defense, *Romina Aghai, Public Defender*, (213) 974-2757
- ~ Defamation, *Michelle Hon, Duane Morris*, (619) 744-2219
- ~ Wrongful Termination, *Mia Farber, Jackson Lewis*, (213) 689-0404
- ~ Criminal Defense, *Leonard Levine Esq.*, (310) 286-9969
- ~ Sexual Harassment, *Louis Marino, McCune & Harber*, (213) 689-2500
- ~ Malpractice, *Nelson Brestoff Esq.*, (310) 435-5260
- ~ Trade Secret Misappropriation, *M. Teresa Herrera Esq.*, (310) 422-7878
- ~ Trade Secret Misappropriation, *John Cosgrove, Cosgrove Computer Systems*, (310) 823-9448
- ~ Criminal Defense, *Donald B. Marks, Marks & Brooklier*, (800) 887-3204
- ~ Trade Secret Misappropriation, *Confidential*
- ~ Criminal Defense, *Roger Jon Diamond, Main Street Law Office*, (310) 399-2359

2007

- ~ Loss of Business Use, *John Cosgrove, Cosgrove Computer Systems*, (310) 823-9448
- ~ Wrongful Termination, *Talya Friedman, Jackson Lewis LLP*, (213) 689-0404
- ~ Malpractice, *George Weber, Marron & Associates*, (562) 462-7422
- ~ Wrongful Termination, *Jesse Rudy, McGuireWoods*, (703) 712-5407
- ~ Defamation, *Ray Kaiser, Kaiser & Swindells*, (562) 592-8471
- ~ Trade Secret Misappropriation, *Kevin Moon, Seltzer Caplan McMahon Vitek*, (619) 685-3096
- ~ Trade Secret Misappropriation, *Samantha Hoffman, Jackson Lewis*, (949) 885-1360
- ~ Contract Dispute, *James Hardin, Call Jensen & Ferrell*, (949) 717-3000
- ~ Wrongful Termination, *Sarah Varela, Davis, Cowell & Bowe, LLP*, (415) 597-7200
- ~ Copyright Infringement, *Erick Syverson, Pick & Boydston, LLP*, (213) 624-1996
- ~ Trade Secret Misappropriation, *Joel Kelly, Jackson Lewis*, (213) 689-0404
- ~ Data Recovery, *Confidential*
- ~ Trade Secret Misappropriation, *David Greenspan, McGuireWoods*, (703) 712-5096
- ~ Document Examination, *Nelson Brestoff*, (310) 435-5260
- ~ Wrongful Termination, *Confidential*
- ~ Copyright Infringement, *Robert J. Young, Pratter & Young*, (310) 313-6421
- ~ Wrongful Termination, *Mia Farber, Jackson Lewis*, (213) 689-0404
- ~ Document Examination, *Eric Robi, Federal Forensics*, (310) 318-1073
- ~ Email Examination, *Michelle Hon, Duane Morris*, (619) 744-22190
- ~ Trade Secret Misappropriation, *Eric Robi, Federal Forensics*, (310) 318-1073
- ~ Email Examination, *Eric Robi, Federal Forensics*, (310) 318-1073
- ~ Document Examination, *Jerry Abeles*, (213) 629-7404
- ~ Document Examination, *Eric Robi, Federal Forensics*, (310) 318-1073

2006

- ~ Civil Negligence, *Linda Bauermeister, Barber & Bauermeister*, (714) 973-1075
- ~ Criminal Defense, *Joshua Glotzer*, (310) 623-3771
- ~ Criminal Defense, *Mark Waecker*, (213) 955-4500
- ~ Web Email, *Eric Robi, Federal Forensics*, (310) 318-1073
- ~ Divorce Case, *Eric Robi, Federal Forensics*, (310) 318-1073
- ~ Email Examination, *Eric Robi, Federal Forensics*, (310) 318-1073
- ~ Trade Secret Misappropriation, *Joseph Aliberti*, (949) 724-0550
- ~ Wrongful Termination, *Cynthia Filla, Jackson Lewis*, (310) 689-0404
- ~ Defamation/Slander, *Eric Robi, Federal Forensics*, (310) 318-1073
- ~ Software Piracy, *Eric Robi, Federal Forensics*, (310) 318-1073
- ~ Hard Disk Examination, *Stephen Hyam, Clark & Trevithick*, (213) 629-5700
- ~ Email Examination, *Cynthia Filla, Jackson Lewis LLP*, (213) 689-0404
- ~ Murder Alibi, *Eric Robi, Federal Forensics*, (310) 318-1073
- ~ Trade Secret Misappropriation, *Lee Hejmanowski, Seltzer Caplan McMahon Vitek*, (619) 685-3043
- ~ Hard Disk Examination, *Laura Petrie, Barry, Gardner & Kincannon*, (949) 851-9111
- ~ Hard Disk Examination, *Eric Robi, Federal Forensics*, (310) 318-1073
- ~ USB "Thumb" Drive Analysis, *Confidential*
- ~ Hard Disk Examination, *Samantha Dolginer, Jackson Lewis LLP*, (213) 689-0404
- ~ Analysis of Software Usage, *David Abel, Piper Rudnick Gray Cary*, (310) 595-3062
- ~ Misappropriation of Company Property, *Laura Petrie, Barry, Gardner & Kincannon*, (949) 851-9111
- ~ Email Recovery, *Parnell Kirby, Attorney at Law*, (310) 576-9242
- ~ Forensic Computer Examination, *Ed Gibbs, Dyntek Services, Inc.*, (949) 271-6749
- ~ Forensic Analysis, *Mark Lafer, Law Offices of Richard J. Wianecki*, (714) 705-5000

2005

- ~ Email Recovery, *Eric Robi, Federal Forensics*, (310) 318-1073
- ~ Forensic Computer Examination, *Charles Brown, Federal Public Defender*, (213) 894-4795
- ~ Software Examination, *Pamela Wagner, Luce, Forward, Hamilton & Scripps LLP*, (619) 236-1414
- ~ Forensic Examination of CD-R, *Lisa J. Damiani, Damiani Law Group*, (619) 239-0170
- ~ Forensic Computer Examination, *Stephen Hyam, Clark & Trevithick*, (213) 629-5700
- ~ Software Copyright Infringement, *Philip Samouris, Higgs Fletcher & Mack L.L.P.*, (619) 236-1551
- ~ Forensic Examination, *Lawrence Stone, Jackson, Lewis, Schnitzler & Krupman* - (213) 689-0404
- ~ Data Recovery & Email Examination, *Silvio Nardoni, Attorney at Law*, (818) 550-1800
- ~ Software Licensing, *David B. Abel, Squire, Sanders & Dempsey L.L.P.* - (213) 624-2500
- ~ Forensic Analysis, *Mark Lafer, Law Offices of Richard J. Wianecki* - (714) 705-5000
- ~ Analysis of Systems Implementation, *David Haberbusch, Haberbusch Feinberg, LLP*, (562) 435-6335

2004

- ~ Wrongful Termination, *Mia Farber, Jackson, Lewis, Schnitzler & Krupman* - (213) 689-0404
- ~ Computer and Network Integration, *Anne Stevens - Ten Asset Management* - (760) 943-7799
- ~ Software Comparison, *David Haberbusch, Haberbusch Feinberg, LLP*, (562) 435-6335
- ~ Improper Use of Proprietary Data, *Patrick Toole, Sagasar Franson & Jones*, (559) 233-4800
- ~ Computer Data Issue, *David Hoiles, Jackson, Lewis, Schnitzler & Krupman*, (213) 689-0404
- ~ Debt Prorating Case, *Joshua W. Glotzer, Attorney at Law*, (310) 623-3771
- ~ Hedge Fund Analysis Tool, *Ronald Surz, PPCA*, (949) 488-8339
- ~ Medical Malpractice, *Brad Stuckey, Hughes & Clough*, (925) 426-9200
- ~ Insurance Claim, *Katy A. Nelson, Esq., Barbanel & Treuer* - (310) 262-8088
- ~ Forensic Consulting, *Jeffrey C. Bachmann, Compex Legal Services, Inc.*, (310) 782-1801
- ~ Falsification of Government Documents, *Edward M. Robinson, Attorney at Law*, (310) 316-9333
- ~ Computer Intrusion, *Edward M. Robinson, Attorney at Law*, (310) 316-9333
- ~ Computer Evidence Analysis, *Myra Sun, Federal Public Defender*, (213) 894-2854

2003

- ~ Employee Walkout, *Mark Schiffman, Attorney at Law*, (949) 622-4365
- ~ Information Misappropriation, *Doug Foster, Steinberg Foster & Foley LLP*, (310) 546-8160
- ~ Software Counterfeiting, *Mark Waecker, Attorney at Law*, (323) 655-8008
- ~ Web Hosting Dispute, *Karen Crawford, Buchanan Ingersoll*, (619) 578-5052
- ~ Payment Dispute, *Craig Woo, Jackson, Lewis, Schnitzler & Krupman*, (213) 689-0404
- ~ Web-based CRM System, *Adele Berwanger, Canterbury Consulting*, (800) 888-4551
- ~ Embezzlement, *Silvio Nardoni, Attorney at Law*, (818) 550-1800
- ~ Wiretapping & Trespassing, *Patrick Toole, Sagaser, Franson & Jones*, (559) 233-4800
- ~ Improper Hiring Practices, *Francis Torrence, Seyfarth Shaw*, (415) 397-1026
- ~ Microsoft Word Document Analysis, *Scott J. Ferrell, Call, Jensen & Ferrell*, (949) 717-3000
- ~ Embezzlement, *Silvio Nardoni, Attorney at Law*, (818) 550-1800
- ~ Employment Firm Dispute, *Cecil Ricks, Ricks & Anderson*, (714) 966-9192
- ~ Dispatching Software Liability, *George Hernandez, Ericksen, Arbuthnot, et al Inc.*, (213) 489-4411
- ~ HMO Management Project, *Tom Lopez, Esaunu Katsky Korins & Siger, LLP*, (212) 716-3257
- ~ Forensic Analysis, *Mark Schiffman, Attorney at Law*, (949) 622-4365
- ~ Web Application Hosting, *Adam Rabin, Ackerman, Link & Sartory, P.A.*, (561) 838-4100

2002

- ~ Software Valuation, *Stephen Harris, Knapp, Petersen & Clarke*, (323) 245-9400
- ~ Breach of Contract, *Karol Ingber, Selman Breitman LLP*, (310) 445-0800
- ~ Employee Investigation, *Corey Hayden, Attorney at Law*, (213) 533-8515
- ~ Missing Marketing Data, *John O'Malley, Jaideep Venkatesan, Fulbright & Jaworski*, (213) 892-9200
- ~ Database/Software Comparison, *Confidential*
- ~ Employee Investigation, *Mike Wolfram, Wolfram Workpace Law*, (323) 850-6590
- ~ Computer Hacking Litigation, *Doug Foster, Steinberg Foster & Foley LLP*, (310) 546-8160
- ~ Support for Civil Litigation, *Philip Brown, Egerman & Brown, LLP*, (310) 248-5299
- ~ Wrongful Termination, *Mia Farber, Jackson, Lewis, Schnitzler & Krupman*, (213) 689-0404
- ~ Forensic Examination of Computer Data, *Philip Smith, Smith, Ellison & Harraka*, (949) 442-1500
- ~ Software Counterfeiting, *Richard M. Steingard, Attorney At Law*, (213) 622-3101

2001

- ~ Analysis & Consulting for Potential Wrongful Termination Suit, *Keith Fletcher*, (310) 820-6661
- ~ Support for Medical Malpractice Suit, *Chris Brown, Grace Brandon Hollis LLP*, (619) 692-0800
- ~ Support for Libel Suit, *Keyvan Samini*, (949) 856-2800
- ~ Software Dispute, *Suvinder S. Ahluwalia, Sklar Warren & Conway LLP*, (702) 360-6000
- ~ Support for HR Suit, *Mia Farber, Jackson, Lewis, Schnitzler & Krupman*, (213) 689-0404
- ~ Insurance, *Drew Pomerance, Michael Lee, Roxborough, Pomerance & Nye*, (310) 470-1869
- ~ Expert Support for HR Software System, *Michael Nalu, Higgs Fletcher & Mack LLP*, (619) 236-1551
- ~ Performance Measurement System, *Adele Berwanger, Canterbury Consulting*, (800) 888-4551
- ~ Expert Witness, *Robert Gentino, Lawrence & Assoc. & Robert Gentino*, (310) 277-7184
- ~ Wrongful Termination, *Mia Farber, Jackson, Lewis, Schnitzler & Krupman*, (213) 689-0404
- ~ Hard Disk Analysis, *Jina W. Kim, Bridgman & Associates*, (714) 963-5486
- ~ Data Acquisition and Analysis, *Jonathan Weiss*, (310) 558-0404
- ~ Expert Witness, *Sean Riley, Steven L. Weinberg, Christensen, Miller et al LLP*, (310) 553-3000
- ~ Forensic Examination, *Mia Farber, Jackson, Lewis, Schnitzler & Krupman*, (213) 689-0404
- ~ Hard Disk Analysis, *Steven Rios*, (949) 493-1166
- ~ Expert Witness for Technical Litigation, *David Brandon, Brandon & Hilton*, (213) 833-0300

2000

- ~ Web-based Data Collection System, *Adele Berwanger, Canterbury Consulting*, (800) 888-4551
- ~ Expert Witness, *Mark Stapke, Stapke & Harris LLP*, (310) 441-4500
- ~ Expert Witness, *Patricia Hollenbeck, Philip Samouris, Higgs Fletcher & Mack LLP*, (619) 236-1551
- ~ Web-based Community Center, *Sharon Campsey, The DeSisto School*, (413) 298-3776

1999

- ~ Online Performance Reporting, *David Rismann, David Rismann Consultants Inc., (818) 313-9045*
- ~ Investment Product GUI and Reporting Package, *Ronald Surz, PPCA, (949) 488-8339*
- ~ Custodial Auditing Package - *Suzanne Stonecipher, Wurts & Associates, (206) 622-3700*

1998

- ~ Endowment/Foundation Management, *Suzanne Stonecipher, Wurts & Associates, (206) 622-3700*
- ~ Employee Relocation System, *George Leddicotte, The Feasibility Group, (919) 790-9140*
- ~ Performance Measurement Software, *Erik Terrell, Arnerich Massena & Associates, (503) 239-0475*

EMPLOYMENT HISTORY

Wurts & Associates, Santa Monica **IS Director, September 1994, February 1998**

Responsible for strategic planning, design, implementation and administration of all IS issues for multi-site regional investment consulting firm.

- ~Created four analytical software systems for Windows based networks

Performance Measurement System

Primary product for the firm, this system tracks client investments in excess of \$25 billion allowing Consultants to measure portfolio performance, attribution and characteristics, analyze asset allocation, and monitor adherence to portfolio investment policy guidelines.

- ~Designed efficient, normalized database structure
- ~Converted custom analytical routines from Paradox PAL to Access Basic
- ~Created state-of-the-art reporting engine
- ~Designed more than fifty graphical report pages
- ~Multi-user, multi-site architecture
- ~Devised system for direct data import from client's custodial bank reducing labor costs associated with data input and improving accuracy

Commission Tracking System

Ensures accurate accounting and SEC guideline compliance for the firm's introducing brokerage business. Provides essential financial planning information to senior management.

- ~Created custom interfaces to floor broker's accounting systems
- ~Developed reports both for internal distribution and for SEC auditors

Custodial Auditing System

Compares investment data from client's custodial bank with impartial market data in order to ensure the accuracy and timeliness of income and credits.

- ~Designed custom data input interfaces to custodial bank accounting systems
- ~Developed report for delivery to client

Investment Manager Database

Internet database product which allows Managers to enter their own data through secure web pages and produces Manager Search and Research reports.

- ~Implemented Frame Relay Internet hosting architecture
- ~Designed web with full database interactivity
- ~Developed web-based reporting engine and administrative modules

- ~Engineered LAN and WAN system architecture to accommodate company's growing needs
- ~Designed and installed Fast Ethernet LANs utilizing Windows NT, Windows 95
- ~Provided WAN and secure Internet access utilizing Frame Relay, ISDN, and dialup remote access
- ~Implemented interoffice and Internet email system
- ~Created corporate Internet presence on World Wide Web
- ~Designed, assembled and installed all workstations, data servers and peripherals

Plexus Group, Santa Monica

Associate, January 1991 - September 1994

- ~Designed and developed financial applications using Microsoft Access, C, Microsoft Basic, Btrieve
- ~International trading monitor product (Access, C, Basic)
- ~Brokerage diagnostic product (Access, C, Basic)
- ~International closing price database (Btrieve, C)
- ~10-minute slice pricing database (Btrieve, C)
- ~Intricate data conversion applications (Access, C, Basic)
- ~Administered Novel Network (v4.01, 3.11 - 4 Servers / 25 Workstations, 6GB Storage)
- ~Managed and directed staff of three programmers
- ~Researched, recommended and purchased hardware and software to meet company demands

David Rismann Consultants, West Hills

Owner of Computer Consulting Firm, October 1987, February 1998

- ~Computer consulting firm providing integration, design, networking, communications, custom software and database design.

Anne Hyde Company, Inc., Glendale

April 1990 - January 1991

- ~Managed entire data processing facility for statewide political fundraising firm. Responsible for: maintaining PC database network, Smartware II programming, hardware and software recommendation and acquisition.

Wilshire Associates, Inc., Santa Monica

Analyst, June 1988 - April 1990

- ~Created custom financial applications for the PC. Designed a new proprietary communications package, assisted with programming and initial design for a Pension Simulation application and a Pension Consultant's Workstation, assisted with programming assignments for many other products.

EDUCATION

University of California, Los Angeles

B.A. History, Magna Cum Laude with honors

Certified Forensic Computer Examiner (CFCE), IACIS the International Association of Computer Investigative Specialists (www.cops.org), June 2002. Recertified: December 2005, December 2008.

Certified Computer Forensic Technician (CCFT), Advanced Certification, High Tech Crime Network (www.htcn.org), June 2002.

Coursework

Computer Forensics, Key Computer Services Inc.,
 NTFS Forensics, Southeast Cybercrime Institute / Kennesaw State University
 FTK2 Transition, Access Data

Windows Vista Forensics, Access Data
Windows XP Forensics, Access Data
FTK2 Bootcamp, Access Data
Windows Registry Forensics, Access Data
Internet Forensics, Access Data

MEMBERSHIPS

Member Panel of Experts, Superior Court of California, Los Angeles
Member Panel of Experts, United States Federal Public Defender, Los Angeles
Western US President, High Tech Crime Network (HTCN).
Member Institute of Electrical and Electronics Engineers (IEEE).
Member International Association of Computer Investigative Specialists (IACIS).
Member American College of Forensic Examiners (ACFEI).
Member Institute of Computer Forensic Professionals (ICFP).

ARTICLES

Should Experts Also be Private Investigators?
The Forensic Examiner, Fall 2006
American College of Forensic Examiners International
(with John Cosgrove and Eric Robi)

Introduction to Computer Forensics
California Association of Licensed Investigators, San Fernando Valley District
Presentation delivered May 26, 2004

Investment Policy Explains All
The Journal of Performance Measurement, Summer 1999
(contributed analytical assistance to authors: Ronald J. Surz, Dale H. Stevens, and Mark Wimer)