Jessica Resch Q&A with Lexology Index

by Jessica Resch; Analysis Group, Inc.

Lexology Index, Thought Leaders - Arbitration

Jessica Resch

Ms. Resch has extensive experience consulting on finance, financial economics, and accounting issues in complex litigations and arbitrations. She is a testifying expert, specialising in the quantification of economic damages in both international arbitration and litigation. Ms. Resch has advised on valuation issues such as cost of capital and valuation discounts and premia. Her damages and valuation work has spanned disputes over complex financial instruments, oil and gas contracts, government expropriation matters, and shareholder disputes.

What is it about your role that you enjoy most?

[Jessica Resch](#): I enjoy the variety and intellectual challenge that my role offers. Each case is different, which means I'm constantly engaging with new industries, legal contexts, and types of economic analysis. Many of the matters I work on involve complex and fascinating economic questions that are often tied to major political or global events. This dynamic environment keeps the work fresh and stimulating, and it pushes me to think critically about each new project. I enjoy the opportunity to continuously learn while applying rigorous economic reasoning to real-world, high-stakes issues.

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What are the most significant hurdles you have overcome in your career so far?

One of the more meaningful challenges I've faced is navigating perceptions around age and appearance in a field where expertise is often associated with a certain profile. As someone who doesn't match the common expert profile, I've focused on consistently demonstrating the value I bring – through the quality of my analysis, the clarity of my communication, and a track record of sound, well-reasoned judgment. Over time, that consistency has built lasting relationships and trust with clients and colleagues.

What is the key to successfully delivering oral and written testimony before a wide variety of arbitration institutions?

Successful testimony starts well before the hearing or expert report filing; a clearly defined scope and well-thought-out instructions allow me to undertake a robust analysis and form well-supported opinions. Testimony is ultimately about communicating complex economic work in a clear and credible way. That is possible when the expert has been closely involved in the analysis from the beginning and understands every detail, including the limitations or potential alternative approaches to that analysis. Tribunals notice when an expert is comfortable with the details of their work under scrutiny, and that credibility makes a difference.

What is the thought process behind your approach in choosing the right applicable economic valuation approach for every case?

Selecting the right valuation approach begins with a close look at the specifics of the case – there is no one-size-fits-all method. My process considers several key factors: the industry context, the stage of development of the asset or company, and the nature and reliability of available information. The goal is to identify a methodology that aligns with economic reality, is well-supported by evidence, and stands up to scrutiny. A good way to understand the reliability of one approach is to test it against other approaches and make sure they are relatively consistent, or that the differences can be explained.

Worldwide objectives to reach net-zero targets will result in a significant number of stranded assets, often associated with fossil fuels. How do you expect stranded assets to affect internal disputes in the upcoming years?

Stranded assets – assets that have lost value due to regulatory, environmental, or market shifts – are likely to become a growing source of disputes as governments push toward climate goals. What qualifies as a stranded asset can evolve rapidly, influenced by shifting political priorities, technology development, and changing commitments to emissions targets. These fluctuations create uncertainty around asset viability, valuation, and investment expectations, and when economic and regulatory environments are in flux, disputes often follow. I anticipate interesting questions about whether policy changes that cause assets to lose value violate fair and equitable treatment rules, and how to appropriately calculate the value of oil and gas assets that appear valuable today but may become far less so in the future.

In what ways has the pace of technological change affected the way in which you approach expert witness work?

The most significant impact of technological change has been the dramatic increase in access to data and analytical capacity. With more information available and teams increasingly proficient in coding and data science techniques, we're able to analyse larger, more complex datasets with greater precision and efficiency. This has raised expectations for technical rigor and how clearly we communicate insights from sophisticated analysis. For experts, this means combining advanced tools with sound economic reasoning to produce credible, transparent, and compelling testimony that can stand up to scrutiny in high-stakes disputes.

What underrated skills would you encourage up-and-coming practitioners to develop?

One critical skill I encourage practitioners to develop early is the ability to clearly and confidently explain complex analysis out loud. Whether in client presentations or arbitration testimony, being able to communicate technical work in a way that's well-structured, accessible, and compelling is essential. It's not always a natural skill for analytically minded economists, but it makes a meaningful difference in how your expertise is received. The strongest analysts aren't just technically sound, they can also distil their findings into plain language and deliver them with clarity.

What is the philosophy behind your approach as an arbitration expert witness?

My philosophy as an arbitration expert is grounded in delivering robust, objective analysis and letting the evidence guide the conclusions. I believe that credibility comes from transparency – in how the analysis is conducted, what assumptions are being made, and how the results are communicated. My role is not to advocate for one position or conclusion, but to provide a clear, well-reasoned assessment that stands up to scrutiny. That means being meticulous with the data, applying sound economic principles, and presenting findings in a way that is both accessible and compelling to tribunals and other non-technical audiences.