
Expert Witness Professional Experience

Daniel J Stratford

Digital Marketing, Advertising, and Online Commerce

I am a digital marketing strategist and executive with over 30 years of professional experience in internet and digital marketing, beginning in the mid-1990s when the discipline was commonly referred to as “Internet Marketing.” My expertise spans the full lifecycle of digital advertising, online branding, audience acquisition, attribution, and monetization.

Areas of Expertise

My professional expertise includes, but is not limited to:

- Search Engine Optimization (SEO)
- Search Engine Marketing (SEM / PPC)
- Google Ads and paid media platforms
- Email and marketing automation
- Social media marketing (Facebook, Instagram, YouTube, TikTok, X, LinkedIn, Reddit, Snapchat, Pinterest, Threads)
- Video and podcast marketing
- Programmatic advertising and retargeting
- eCommerce and affiliate marketing
- Influencer marketing (including Amazon Influencer Program)
- Reputation management
- Website development, messaging, branding, and conversion optimization

Early Digital Marketing Experience (1990s–2001)

I began optimizing websites for search visibility in 1997, prior to the existence of Google. At that time, search engines included Yahoo!, Excite, Lycos, and Ask Jeeves. While serving as a Regional Business Development Manager for an enterprise software company, I was responsible for lead generation and revenue growth. One of the primary strategies I implemented was optimizing the company’s website to rank at the top of search results for “document imaging”–related queries. This practice later became known as Search Engine Optimization (SEO).

Enterprise & Platform-Level Experience (2002–2010)

From 2002 to 2006, I worked at Dex Media, then one of the largest Yellow Pages organizations in the world, during a critical period of digital transformation. As a Regional Digital Marketing Manager, I:

- Trained hundreds of sales professionals on SEO, paid search, and website development
- Provided technical digital marketing support across U.S. markets
- Developed expertise in paid search platforms

During this period, I became one of the first approximately 350 “Advanced Google AdWords Certified” professionals in the United States, as listed by Google at the time.

From 2007 to 2010, I held a similar role at LexisNexis / Martindale-Hubbell, where, as a Digital Marketing Regional Manager, I supported and educated attorneys and sales teams on digital marketing through:

- One-on-one consulting
- Internal training programs
- Continuing Legal Education (CLE) courses

These CLE presentations were delivered across California, Colorado, Hawaii, Washington, Utah, Idaho, and Oregon.

Agency Ownership & Consulting (2008–Present)

In 2008, I launched the blog *LawyerMarketingExpert.com*, focused on digital marketing strategies for the legal industry. That same year, I founded a digital marketing agency that later merged with and operated under the name C1 Partners.

Through my agency and consulting work, I provided digital marketing services to small, medium, and enterprise-level businesses worldwide, including companies in highly competitive verticals such as:

- Insurance
- Legal services
- Technology and SaaS
- Education
- Home services
- eCommerce

My teams and I managed and executed strategies across SEO, paid media, email, programmatic advertising, retargeting, social media, and eCommerce platforms. I sold my agency in 2015 and continued as a senior consultant and executive, managing multi-million-dollar monthly digital marketing budgets and advising executive teams and boards.

Education

- B.S. Biology, Rockhurst University
- MBA, Regis University

Current Professional Work

I currently consult for multiple companies globally and serve as the owner and operator of Kick It 3v3 Soccer, a Colorado-based national soccer tournament company. In this role, I personally develop and execute all digital marketing strategies, including SEO, Google Ads, email marketing, social media, podcasting, Amazon, Reddit, YouTube, print media, and retargeting campaigns.

My background uniquely combines executive-level strategy development with hands-on execution and analysis, allowing me to evaluate both high-level intent and low-level implementation details in digital marketing matters.

Training, Education, and Industry Leadership

Over the past three decades, I have trained thousands of sales professionals, attorneys, business owners, and digital marketers through:

- Industry associations
- Continuing Legal Education (CLE) programs
- National and regional marketing organizations

In April 2025, I served as a panelist on two educational panels at AgencyCon 2025 in Colorado, a specialized conference for marketing and advertising agency professionals.

Expert Witness Services

I provide expert witness services on a part-time basis, focused on research, analysis, and expert opinions related to digital marketing, online advertising, influencer marketing, affiliate programs, platform behavior, and monetization models.

While I am compensated for expert witness work, my opinions are independent, research-driven, and fact-based. I evaluate evidence objectively, analyze both sides of disputed issues, and base my conclusions on industry standards, platform mechanics, and my three decades of professional experience.

Prior Expert Witness Engagements

Detailed Case History

I have been retained and disclosed as an expert witness and consulting expert in multiple matters involving digital marketing, SEO, paid search/Google Ads, online advertising, eCommerce platforms, influencer marketing, affiliate monetization, intellectual property, and technology-related disputes, in both state and federal courts. My expert work has been performed on behalf of both plaintiffs and defendants, including testifying and non-testifying engagements.

Certain matters are subject to confidentiality agreements and protective orders. Accordingly, the descriptions below are provided at a general but accurate level, consistent with Rule 26 obligations and my sworn expert disclosures.

1. Stephanie Smith, Leonie Trunte, and Marlene Loebler v. Amazon.com Services LLC

U.S. District Court — Eastern District of Missouri

Case No. 4:25 CV 404 CDP

Status

Active matter (ongoing).

Nature of Matter

- Civil litigation involving allegations related to the discoverability and sale of covert recording products on a major eCommerce platform.
- Matter includes allegations related to platform search, product discovery, and marketing systems that may facilitate access to products commonly described as hidden/spy cameras for private spaces.

My Role

- Retained as a digital marketing, SEO, paid search, and platform search expert (Plaintiff); testifying expert.
- Engaged to evaluate whether the platform's digital marketing and product discovery systems facilitate discovery and purchase of covert recording products for private spaces, and whether feasible mitigation measures exist.

Scope of Work

- Keyword intent analysis using standard industry tools and accepted search marketing methodologies.
- Analysis of paid search practices (Google Ads), including how keyword targeting and negative keywords can influence ad exposure.
- SEO analysis of how landing pages can rank organically for high-intent queries, including search engine results page (SERP) visibility patterns.

- On-site search and autocomplete evaluation to assess how suggested queries may guide users to sensitive products.
- Review of product listing use-case signaling (images, copy, and category placement) for private-space intent cues.
- Served as affiant for Plaintiff and provided sworn declaration and deposition testimony.

Methodology

My methodology included:

- Keyword research
- Domain and traffic analysis
- Manual testing of Google paid and organic search results over time
- Manual testing of Amazon on-site search and autocomplete behavior
- Review of product listings, images, metadata, and category placement
- Application of accepted digital marketing and eCommerce industry standards

Nature of Opinions

My opinions addressed system behavior and facilitation, not intent. I did not offer legal conclusions. I evaluated whether Amazon's marketing systems functionally guide users toward products marketed for covert private-space recording and whether commonly used mitigation measures could reasonably be implemented.

Outcome: Active matter (ongoing)

2. Sydney Nicole Gifford v. Alyssa Sheil LLC & Alyssa Sheil

U.S. District Court – Western District of Texas (2025)

I was retained in multiple matters involving influencer marketing, social media platforms, affiliate monetization, and algorithmic amplification, including disputes where parties alleged content copying, piggybacking, and diversion of impressions and revenue.

These matters required analysis of:

- How TikTok and Instagram algorithms distribute and amplify content
- How engagement signals (likes, comments, shares, watch time) affect visibility
- How copycat or substantially similar content can exploit platform behavior
- Affiliate commission attribution, including first-click dynamics and delayed conversion windows
- Amazon Influencer Program mechanics, including storefront similarity and user confusion
- Financial impact resulting from diverted impressions and affiliate revenue

My work included comparative content analysis, platform documentation review, financial correlation analysis, and preparation of expert opinions addressing motive, mechanism, and impact.

Outcome: Resolved by settlement prior to trial after proceeding past early dismissal challenges on key claims

3. Mullen v. Samsung — Patent Infringement Litigation

Federal Court (2024)

Role: Retained digital marketing and technology expert; consulting and testifying support

Areas of Analysis:

- Technical product and market context analysis
- Digital marketing and consumer behavior evaluation relevant to technology adoption
- Supporting analysis for counsel and expert team
- Assisting with functional testing and documentation
- Evaluating real-world system behavior relative to asserted claims
- Explaining technical functionality in an accessible manner

Status / Outcome

Pending/unknown.

4. Coomer, Eric v. Donald J. Trump for President, Inc., et al.

District Court, City & County of Denver, Colorado (Second Judicial District)

Case No. 2020CV34319 | Courtroom 409

Status

Active matter (ongoing).

Nature of Matter

Defamation / reputational harm litigation arising from alleged statements disseminated through political and media platforms.

Matter includes extensive online dissemination across websites, podcasts, social media, and broadcast media.

My Role

- Retained as a digital marketing and internet/social media expert (testifying).
- Engaged to analyze online dissemination, platform mechanics, and search/social amplification relevant to reputational harm.

Key Public Facts

- The case involves Plaintiff Eric Coomer, Ph.D., former Director of Product Strategy and Security for Dominion Voting Systems, and multiple defendants including Donald J. Trump for President, Inc. and other individuals and entities.
- The court entered an Amended Protective Order governing CONFIDENTIAL / TRADE SECRET / ATTORNEY'S EYES ONLY materials in the litigation (dated September 12, 2025).
- A video conference deposition of Plaintiff Eric Coomer occurred on September 23, 2021.

Scope of Work (described without revealing protected information)

- Assessment of dissemination pathways for allegedly defamatory statements across major internet channels (search, social, video, and news).
- Analysis of how online audiences encounter and re-encounter content (search engine results, platform recommendation, and republishing).
- Evaluation of online visibility dynamics relevant to reputational harm and reputational repair considerations.

Deliverables

- Expert analysis and opinions prepared pursuant to applicable civil procedure rules and the court's case management schedule.
 - Supporting exhibits and documentation for counsel (as permitted by the Protective Order).
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5. International Metaphysical Ministry, Inc. v. Wisdom of the Heart Church, et al.

Status / Outcome

Closed matter. Dismissed with prejudice (May 12, 2025).

Matter Type

- Federal trademark infringement and unfair competition dispute between competing educational organizations with highly similar names and domain names.
- Dispute included allegations of online consumer confusion and alleged manipulation of search visibility.
- Your Role
- Retained Digital Marketing & SEO Expert (Plaintiff); testifying expert.
- Served as affiant for Plaintiff and provided sworn declaration and deposition testimony.

Key Disputed Issues (as presented by opposing expert)

- Whether Plaintiff allegedly manipulated Google search results through SEO and backlink practices.
- Whether Plaintiff allegedly manipulated Google/Bing autosuggest/autocomplete results to cause brand confusion.
- Whether observed search results were consistent with intentional manipulation versus normal algorithm behavior and third-party activity.

Key Work Performed / Methodology

- Backlink and anchor-text analysis using industry-standard SEO tools (Ahrefs, Moz, Majestic, SEMRush).
- Evaluation of whether any links pointing to Plaintiff's site contained Defendant's trademarks in anchor text (none found).
- Spam-score and link-quality evaluation for third-party sites referencing both parties' brands.
- Search engine autosuggest/autocomplete testing (Google vs. Bing) using control queries to assess similarity assumptions.
- Analysis of the role of geographic modifiers in search ranking and results interpretation.
- Motive assessment based on search volume and cost-per-click data for disputed queries.

Deposition Experience

- Successfully defended findings and methodology in a 7-hour remote deposition conducted September 29, 2022.

Key Findings

- No evidence supported claims of intentional trademark-based anchor-text link building against Defendant.
- Observed linking patterns were consistent with low-quality third-party 'login'/aggregator sites that referenced multiple organizations and were outside either party's control.
- Opposing expert's claim that Google and Bing autosuggest are generally similar was contradicted by test results on multiple control queries.
- Search results behavior was consistent with standard localization and algorithm mechanics (e.g., geographic intent signals outweighing brand similarity in certain queries).
- The disputed query had extremely low search volume, undermining any plausible economic motive for manipulation.

Deliverables

- Sworn declaration responding to opposing expert's declaration(s).
 - Supporting exhibits and tool outputs.
 - Deposition testimony.
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6. Social Media Conduct & Employment Litigation

Federal Court (2022)

I have served as a social media and digital content expert in employment-related litigation involving alleged misconduct arising from online activity.

My analysis included:

- Review of platform terms of service and community standards
- Analysis of content dissemination, virality, and context
- Authentication and interpretation of digital evidence

Status / Outcome

Pending/unknown.

7. International Litigation – British Columbia, Canada (2026)

Status / Outcome

Pending/unknown.

I was retained as an expert witness in litigation in British Columbia, Canada, to provide an independent expert opinion regarding data collected by websites, online tracking practices, and visitor identification technologies.

In this engagement, I was asked to analyze and explain, in clear and accessible terms, the technical and behavioral information automatically transmitted when a user accesses a website, and how commercial websites may use that information to track user activity across sessions and over time.

My work addressed, among other topics:

- Information automatically revealed during website access, including IP addresses, approximate geolocation, browser and device characteristics, session identifiers, and navigation behavior
- The use of web server logs, cookies, browser storage, JavaScript-based analytics, tracking pixels, and tags
- Differences in data collection and tracking reliability between desktop/laptop computers and smartphones
- The operation and limitations of third-party visitor identification and “email reveal” services, including probabilistic matching methods
- The distinction between technical identifiers and personally identifiable information
- Common methods users may employ to limit or reduce online tracking and identity inference

As part of this engagement, I prepared a formal expert report titled “Expert Opinion re Data Collected by Websites and Visitor Identification Technologies,” supported by a comprehensive glossary of internet, web, and tracking terminology to ensure clarity for the Court.

My opinions were provided pursuant to my duty to assist the Court, were independent and non-advocacy based, and were grounded in industry standards, platform documentation, empirical observation, and over three decades of professional experience in digital marketing, analytics, and online data systems.

Nature of Expert Services

Across all matters, my expert services have included:

- Review of discovery materials
 - Independent research and empirical testing
 - Platform behavior analysis
 - Preparation of expert reports and declarations
 - Consulting expert services
 - Deposition- and trial-ready opinions
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8. Drink Elevate (Faster, LLC) v. Spotlight Social Advertising

Court:

District Court, Arapahoe County, Colorado

Address:

7325 South Potomac Street
Centennial, CO 80112

Case Number:

2025CV31675

Division:

Division 15

Status

Active matter (ongoing).

Nature of Matter: Expert Witness Declaration / Marketing Performance Analysis

- Retained to evaluate the performance, methodology, and professional standards of a digital advertising agency managing paid media campaigns across Meta (Facebook/Instagram), Google Ads, and Amazon.
- Conducted a comprehensive analysis of campaign implementation, tracking infrastructure, attribution systems, and financial performance. Assessed vendor compliance with industry standards related to Return on Ad Spend (ROAS), customer lifetime value (LTV), and profitability modeling.
- Performed detailed review of advertising data, email communications, weekly reporting, and video performance updates. Identified deficiencies in tracking and attribution, including lack of conversion visibility and incomplete data systems.
- Provided expert opinion regarding misapplication of ROAS methodology, including incorrect characterization of revenue-based ROAS as profitability. Calculated break-even ROAS based on margin and vendor fee structure, and compared against actual campaign performance.
- Analyzed representations made by the vendor regarding profitability, scalability, and performance, including claims of “Top 1%” industry ranking and guaranteed results. Evaluated these claims against industry standards and platform partner program structures.
- Assessed operational conduct, including deletion of campaign infrastructure and resulting impact on client data, continuity, and asset preservation.
- Provided opinions regarding whether the vendor’s conduct met the standard of care expected of a professional digital marketing agency.

Objectivity and Compensation

I am compensated for my expert services at an hourly rate. My compensation is not contingent on the outcome of any matter or the substance of my opinions. My analyses are objective, research-driven, and grounded in industry standards, platform documentation, and empirical observation.
