In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 13-183V **Filed: June 4, 2019**

ROBERT RUPPENTHAL, Conservator of **UNPUBLISHED** the Estate of D.V.M., a minor child, Case No. 13-183V Petitioner, * Chief Special Master Dorsey v. * Damages Award; Proffer; Diphtheria-SECRETARY OF HEALTH Tetanus-acellular Pertussis ("DTaP") Vaccine; Encephalopathy; Table Injury. AND HUMAN SERVICES, Respondent.

<u>Howard S. Gold</u>, Gold Law Firm, LLC, Wellesley Hills, MA, for petitioner. <u>Linda S. Renzi</u>, United States Department of Justice, Washington, DC, for respondent.

DECISION AWARDING DAMAGES¹

On March 11, 2013, Haytor Vega and Lucia Martinez filed a petition for compensation under the National Vaccine Injury Compensation Program ("the Program")² on behalf of their minor son, D.V.M.³ Mr. Vega and Ms. Martinez alleged that the D.V.M. suffered an acute encephalopathy within seventy-two hours of receiving a diphtheria-tetanus-acellular pertussis

¹ Because this Decision contains a reasoned explanation for the action in this case, the undersigned is required to post it on the United States Court of Federal Claims' website in accordance with the E-Government Act of 2002. 44 U.S.C. § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services). **This means the Decision will be available to anyone with access to the Internet.** In accordance with Vaccine Rule 18(b), petitioner has 14 days to identify and move to redact medical or other information, the disclosure of which would constitute an unwarranted invasion of privacy. If, upon review, the undersigned agrees that the identified material fits within this definition, the undersigned will redact such material from public access.

² The Program comprises Part 2 of the National Childhood Vaccine Injury Act of 1986, 42 U.S.C. § 300aa.

³ On August 27, 2018, Robert Ruppenthal was appointed conservator of D.V.M.'s estate. <u>See</u> Petitioner's Exhibit 39. Mr. Ruppenthal subsequently became the petitioner in this matter. <u>See</u> Order dated Sept. 24, 2018 (ECF No. 110).

("DTaP") vaccine on March 12, 2010. Petition at 1, 4-5. On April 21, 2017, the undersigned issued a decision finding that petitioner was entitled to compensation.

On November 29, 2018, respondent filed a Proffer on Award of Compensation ("Proffer").⁴ In the Proffer, respondent represented that petitioner agrees with the proffered award. Proffer at 1-2. Based on the record as a whole, the undersigned finds that petitioner is entitled to an award as stated in the Proffer.

Pursuant to the terms stated in the attached Proffer, the undersigned awards petitioner:

- (1) A lump sum payment of \$250,000.00, representing compensation for pain and suffering in the form of a check made payable to petitioner.
- (2) A lump sum payment in the amount of \$168,506.00, representing compensation for life care plan expenses for the first year and partial expenses for 2051, in the form of a check payable to Counsel Trust Company for the benefit of the D.V.M. Reversionary Trust.
- (3) A lump sum payment of \$48,741.08, representing compensation for the past State of Georgia Medicaid lien, made payable to the Georgia Department of Community Health, 900 Circle 75 Parkway SE, Suite 650, Atlanta, GA 30339, ATTN: Yvette Dimmons.⁵
- (4) An amount sufficient to purchase the annuity contract described in section II.D of the Proffer.
- (5) An amount sufficient to purchase the annuity contract described in section II.E of the Proffer.

Proffer at 3-5.

In the absence of a motion for review filed pursuant to RCFC Appendix B, the Clerk of the Court **SHALL ENTER JUDGMENT** herewith.⁶

⁴ A decision was entered awarding compensation to petitioner based on respondent's Proffer on November 30, 2018, and judgment was entered on December 17, 2018. The parties later filed a joint motion to vacate the judgment, seeking to amend the form of the award. Joint Mot. dated May 16, 2019 (ECF No. 121). The undersigned granted the motion, withdrew the original decision, and vacated the judgment. Order dated May 31, 2019 (ECF No. 122).

⁵ In the Proffer, the parties agreed that this check should be made payable jointly to petitioner and the Georgia Department of Community Health. Proffer at 3. In their joint motion, however, the parties requested that this part of the award instead be made payable to the Georgia Department of Community Health alone. Joint Mot. at 2.

⁶ Pursuant to Vaccine Rule 11(a), entry of judgment is expedited by the parties' joint filing of notice renouncing the right to seek review.

IT IS SO ORDERED.

s/Nora Beth Dorsey
Nora Beth Dorsey
Chief Special Master

DATE: 11/08/18 TIME: 09:42 PM

SUMMARY OF LIFE CARE ITEMS - RESPONDENT'S LIFE CARE PLAN dated October 11, 2017

CE YEAR	ITEM OF CARE GROWTH RATE	Insurance
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SUMMARY OF LIFE CARE ITEMS - RESPONDENT'S LIFE CARE PLAN dated October 11, 2017

Care Services Se	ITEM OF CARE	Insurance	Medical	Ancilliary	Medications	Supplies	Home	SIATOL	SIVEOL	TOTAL CO
A.D%			Care			;	Services	of Items with a 6.0%	of Items with a 4.0%	4.0% & 6.0° & AI
VEAR 2315 0 231600 1.032.00 0.00 281.76 1.272.01 66,000.00 3,348 67,254 2052 2,316.00 1.032.00 0.00 281.76 1.272.01 66,000.00 3,348 67,254 2053 2,316.00 1.032.00 0.00 281.76 1.272.01 66,000.00 3,348 67,254 2053 2,316.00 1.032.00 0.00 281.76 1.272.01 66,000.00 3,348 67,254 2055 2,316.00 1.032.00 0.00 281.76 1.272.01 66,000.00 3,348 67,254 2055 2,316.00 1.032.00 0.00 281.76 1.272.01 66,000.00 3,348 67,254 2056 2,316.00 1.032.00 0.00 281.76 1.272.01 66,000.00 3,348 67,254 2060 2,316.00 1.032.00 0.00 281.76 1.272.01 66,000.00 3,348 67,254 2062 2,316.00 1.032.00 0.00 281.76 1.272.01 66,000.00 3,348 67,254 <tr< th=""><th>GROWTH RATE</th><th>6.0%</th><th>6.0%</th><th>4.0%</th><th>4.0%</th><th>4.0%</th><th>4.0%</th><th>Growth Rate</th><th>Growth Rate</th><th>THE</th></tr<>	GROWTH RATE	6.0%	6.0%	4.0%	4.0%	4.0%	4.0%	Growth Rate	Growth Rate	THE
2051 2316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2052 2316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2053 2316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2054 2316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2055 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2056 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2056 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2060 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2062 2,316.00 1,032.00 0.00 281.76										
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20254 2,231,60.0 1,092,00 0.00 281,76 1,272,01 6,600,00 3,348 67,554 2056 2,316,00 1,092,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2057 2,316,00 1,092,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2057 2,316,00 1,092,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2060 2,316,00 1,092,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2062 2,316,00 1,092,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2062 2,316,00 1,092,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2062 2,316,00 1,092,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2076 2,316,00 1,092,00 0.00 281,76			1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	
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2058 2316.00 1,092.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2059 2,316.00 1,092.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2060 2,316.00 1,092.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2061 2,316.00 1,092.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2063 2,316.00 1,092.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2064 2,316.00 1,092.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2066 2,316.00 1,092.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2069 2,316.00 1,092.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2077 2,316.00 1,092.00 0.00 281.76	47 2057	2,316.00	1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	
2059 2,316,00 1,032,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2061 2,316,00 1,032,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2061 2,316,00 1,032,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2062 2,316,00 1,032,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2064 2,316,00 1,032,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2066 2,316,00 1,032,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2067 2,316,00 1,032,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2067 2,316,00 1,032,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2077 2,316,00 1,032,00 0.00 281,76			1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	
2060 2,315,00 1,032,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2061 2,316,00 1,032,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2062 2,316,00 1,032,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2064 2,316,00 1,032,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2066 2,316,00 1,032,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2066 2,316,00 1,032,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2068 2,316,00 1,032,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2070 2,316,00 1,032,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2071 2,316,00 1,032,00 0.00 281,76		2,316.00	1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	
2061 2,316,00 1,032,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2062 2,316,00 1,032,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2063 2,316,00 1,032,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2064 2,316,00 1,032,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2066 2,316,00 1,032,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2067 2,316,00 1,032,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2070 2,316,00 1,032,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2071 2,316,00 1,032,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2073 2,316,00 1,032,00 0.00 281,76		2,316.00	1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	
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2063 2,316,00 1,092,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2064 2,316,00 1,092,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2065 2,316,00 1,092,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2066 2,316,00 1,092,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2067 2,316,00 1,092,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2069 2,316,00 1,092,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2071 2,316,00 1,092,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2071 2,316,00 1,092,00 0.00 281,76 1,272,01 66,000,00 3,348 67,554 2072 2,316,00 1,092,00 0.00 281,76		2,316.00	1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	
2064 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000,00 3,348 67,554 2065 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000,00 3,348 67,554 2066 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000,00 3,348 67,554 2067 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000,00 3,348 67,554 2069 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000,00 3,348 67,554 2070 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000,00 3,348 67,554 2071 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000,00 3,348 67,554 2072 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000,00 3,348 67,554 2073 2,316,00 1,032,00 0.00 281.76		2,316.00	1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	
2065 2,316,00 1,032,00 0,00 281,76 1,272,01 66,000,00 3,348 67,554 2066 2,316,00 1,032,00 0,00 281,76 1,272,01 66,000,00 3,348 67,554 2067 2,316,00 1,032,00 0,00 281,76 1,272,01 66,000,00 3,348 67,554 2068 2,316,00 1,032,00 0,00 281,76 1,272,01 66,000,00 3,348 67,554 2070 2,316,00 1,032,00 0,00 281,76 1,272,01 66,000,00 3,348 67,554 2071 2,316,00 1,032,00 0,00 281,76 1,272,01 66,000,00 3,348 67,554 2071 2,316,00 1,032,00 0,00 281,76 1,272,01 66,000,00 3,348 67,554 2072 2,316,00 1,032,00 0,00 281,76 1,272,01 66,000,00 3,348 67,554 2073 2,316,00 1,032,00 0,00 281,76		2,316.00	1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	
2066 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2067 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2068 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2070 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2071 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2071 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2073 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2074 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2077 2,316.00 1,032.00 0.00 281.76		2,316.00	1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	
2067 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2068 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2069 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2070 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2071 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2072 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2077 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2077 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2078 2,316.00 1,032.00 0.00 281.76		2,316.00	1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	
2068 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2070 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2071 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2071 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2072 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2073 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2075 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2077 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2078 2,316.00 1,032.00 0.00 281.76		2,316.00	1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	
2069 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2070 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2071 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2071 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2073 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2074 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2075 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2077 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2078 2,316.00 1,032.00 281.76 1,272.01		2,316.00	1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	
2070 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000,00 3,348 67,554 2071 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000,00 3,348 67,554 2072 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000,00 3,348 67,554 2073 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000,00 3,348 67,554 2074 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000,00 3,348 67,554 2075 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000,00 3,348 67,554 2077 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000,00 3,348 67,554 2078 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000,00 3,348 67,554 2081 2,316,00 1,032,00 0.00 281.76		2,316.00	1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	
2071 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2072 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2073 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2074 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2075 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2076 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2077 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2078 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2081 2,316,00 1,032,00 0.00 281.76		2,316.00	1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	
2072 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2073 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2074 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2075 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2076 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2077 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2078 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2081 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2081 2,316.00 1,032.00 0.00 281.76		2,316.00	1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	
2073 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2074 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2075 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2076 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2077 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2078 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2080 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2081 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2082 2,316.00 1,032.00 0.00 281.76		2,316.00	1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	
2074 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2075 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2076 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2077 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2078 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2079 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2081 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2082 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2084 2,316,00 1,032,00 0.00 281.76		2,316.00	1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	
2075 2,336,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2076 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2077 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2078 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2079 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2081 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2081 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2082 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2084 2,316,00 1,032,00 0.00 281.76		2,316.00	1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	
2076 2,336,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2077 2,336,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2078 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2079 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2081 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2082 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2083 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2084 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2084 2,316,00 1,032,00 0.00 281.76		2,316.00	1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	
2077 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2078 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2079 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2080 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2081 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2082 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2083 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2084 2,316,00 1,032,00 0.00 281.76 1,272,01 66,000.00 3,348 67,554 2084 2,316,00 1,032,00 0.00 281.76		2,316.00	1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	
2078 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2079 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2080 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2081 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2082 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2083 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2084 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2084 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554		2,316.00	1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	
2079 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2080 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2081 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2082 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2083 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2084 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554		2,316.00	1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	
2080 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2081 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2082 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2083 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2084 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554		2,316.00	1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	
2081 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2082 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2083 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2084 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554		2,316.00	1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	
2082 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2083 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2084 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554		2,316.00	1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	
2083 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554 2084 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554		2,316.00	1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	
2084 2,316.00 1,032.00 0.00 281.76 1,272.01 66,000.00 3,348 67,554		2,316.00	1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	1
		2,316.00	1,032.00	0.00	281.76	1,272.01	66,000.00	3,348	67,554	

TAB A

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SUMMARY OF LIFE CARE ITEMS - RESPONDENT'S LIFE CARE PLAN dated October 11, 2017

100.00%			89.90%	1.95%	0.43%	1.57%	1.29%	4.87%		
37,302,454	4,746,000	311,248	4,546,360	98,382	21,696	79,563	65,016	246,232		
1,611,580	67,554	3,348	66,000.00	1,272.01	281.76	0.00	1,032.00	2,316.00	2094	22
1,544,506	67,554	3,348	66,000.00	1,272.01	281.76	0.00	1,032.00	2,316.00	2093	83
1,480,300	67,554	3,348	66,000.00	1,272.01	281.76	0.00	1,032.00	2,316.00	2092	82
1,418,835	67,554	3,348	66,000.00	1,272.01	281.76	0.00	1,032.00	2,316.00	2091	81
1,359,991	67,554	3,348	66,000.00	1,272.01	281.76	0.00	1,032.00	2,316.00	2090	80
1,303,652	67,554	3,348	66,000.00	1,272.01	281.76	0.00	1,032.00	2,316.00	2089	79
1,249,708	67,554	3,348	66,000.00	1,272.01	281.76	0.00	1,032.00	2,316.00	2088	78
1,198,054	67,554	3,348	66,000.00	1,272.01	281.76	0.00	1,032.00	2,316.00	2087	77
1,148,590	67,554	3,348	66,000.00	1,272.01	281.76	0.00	1,032.00	2,316.00	2086	76
1,101,220	67,554	3,348	66,000.00	1,272.01	281.76	0.00	1,032.00	2,316.00	2085	75
									YEAR	AGE
THE GROWTH RATE	Growth Rate	Growth Kate	4.0%	4.0%	4.0%	4.0%	6.0%	6.0%	RATE	GROWTH RATE
& APPLYING	with a 4.0%	with a 6.0%								
4.0% & 6.0% ITEMS	of Items	of Items	Services			Services	Care		,	
TOTALS OF	TOTALS	TOTALS	Home	Supplies	Medications	Ancillary	INTEGRAL	Insurance	AKE	HEM OF CAKE

This Report was generated using Sequoia Settlement Services, LLC Software (c) 1990

D.O.B. 01/12/2010

Cl. Ct. No. 13-183V

DATE: TIME: 11/08/18 09:42 PM

WAGE LOSS ANALYSIS

9 8 8 110 111 111 111 111 111 111 111 111	AGE
15 14 15 15 15 15 15 15 15 15 15 15 15 15 15	Number of Years
2018 2019 2020 2021 2022 2023 2024 2024 2026 2026 2026 2027 2028 2028 2029 2030 2030 2031 2034 2034 2034 2034 2035 2036 2039 2030 2030 2031 2032 2034 2034 2034 2034 2034 2034 2034	CALENDAR YEAR
1.048.00 1.048.00	Average Gross Weekly Non-Farm Wage (1) \$1,048.00
54,496.00 54,496.00 54,496.00 54,496.00 54,496.00 54,496.00 54,496.00 54,496.00 54,496.00 54,496.00 54,496.00 54,496.00 54,496.00 54,496.00 54,496.00 54,496.00 54,496.00	Average Gross Annual Wage LESS:
6,350.00 6,350.00 6,350.00 6,350.00 6,350.00 6,350.00 6,350.00 6,350.00 6,350.00 6,350.00 6,350.00 6,350.00 6,350.00	Standard Deduction 6,350
4,050.00 4,050.00 4,050.00 4,050.00 4,050.00 4,050.00 4,050.00 4,050.00 4,050.00 4,050.00 4,050.00 4,050.00	Federal Taxes - 2017 Taxable Exemption Income 4,050 44,09
44,096.00 44,096.00 44,096.00 44,096.00 44,096.00 44,096.00 44,096.00 44,096.00 44,096.00 44,096.00 44,096.00 44,096.00 44,096.00	xes - 2017 Taxable Income 44,096
6,758.00 6,758.00 6,758.00 6,758.00 6,758.00 6,758.00 6,758.00 6,758.00 6,758.00 6,758.00 6,758.00 6,758.00 6,758.00	Federal Tax 6,758.00
4,168.94 4,168.94 4,168.94 4,168.94 4,168.94 4,168.94 4,168.94 4,168.94 4,168.94 4,168.94 4,168.94 4,168.94 4,168.94 4,168.94 4,168.94 4,168.94 4,168.94 4,168.94	FICA \$4,168.94
2,777.00 2,777.00 2,777.00 2,777.00 2,777.00 2,777.00 2,777.00 2,777.00 2,777.00 2,777.00 2,777.00 2,777.00 2,777.00 2,777.00	State Taxes Georgia 2017 \$2,777.00
528.76 528.76 528.76 528.76 528.76 528.76 528.76 528.76 528.76 528.76 528.76 528.76 528.76	Average Monthly Cost of a Health Insurance Policy (2) 528.76
6,345.12 6,345.12 6,345.12 6,345.12 6,345.12 6,345.12 6,345.12 6,345.12 6,345.12 6,345.12 6,345.12 6,345.12 6,345.12 6,345.12 6,345.12	Average Average Annual Monthly Cost Cost of a Health of a Health Insurance Insurance Policy Policy (2) 528.76 S6,345.12
34,446,94 34,446,94 34,446,94 34,446,94 34,446,94 34,446,94 34,446,94 34,446,94 34,446,94 34,446,94 34,446,94 34,446,94 34,446,94 34,446,94 34,446,94 34,446,94 34,446,94 34,446,94	TOTALS PERCENTAGE OF WAGE LOSS 100.00%
44,094,99 45,197,37 46,327,30 47,485,48 48,672,62 49,889,43 51,136,67 52,415.09 53,725,46 55,068,60 56,445,32 57,856,45 59,302,86 60,785,43 62,305,07	TOTALS and Applying the Growth Rate GROWTH RATE 2.50%
3,674.58 3,766.45 3,860.61 3,957.12 4,056.05 4,157.45 4,261.39 4,367.92 4,477.12 4,589.05 4,703.78 4,821.37 4,941.90 5,065.45 5,192.09	Monthly Amount of Wage Loss

D.O.B. 01/12/2010

Cl. Ct. No. 13-183V

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WAGE LOSS ANALYSIS

DAVIDORIO DE CONTROL D	The second secon	The second secon													
	2,422,058.78	1,205,643.00													
													-		
8.507.84	102.094.11	34,446,94	6,345.12	528.76	2,777.00	4,168.94	6,758.00	44,096.00	4,050.00	6,350.00	54,496.00	1,048.00	2062	35	52
8.300.33	99,604 01	34,446.94	6,345.12	528.76	2,777.00	4,168.94	6,758.00	44,096.00	4,050.00	6,350.00	54,496.00	1,048.00	2061	34	51
8,097.89	97,174.64	34,446.94	6,345.12	528.76	2,777.00	4,168.94	6,758.00	44,096.00	4,050.00	6,350.00	54,496.00	1,048.00	2060	33	50
7,900.38	94,804.53	34,446.94	6,345.12	528.76	2,777.00	4,168.94	6,758.00	44,096.00	4,050.00	6,350.00	54,496.00	1,048.00	2059	32	49
7,707.69	92,492.22	34,446.94	6,345.12	528.76	2,777.00	4,168.94	6,758.00	44,096.00	4,050.00	6,350.00	54,496.00	1,048.00	2058	31	48
7,519.69	90,236.31	34,446.94	6,345.12	528.76	2,777.00	4,168.94	6,758.00	44,096.00	4,050.00	6,350.00	54,496.00	1,048.00	2057	30	47
7,336.29	88,035.43	34,446.94	6,345.12	528.76	2,777.00	4,168.94	6,758.00	44,096.00	4,050.00	6,350.00	54,496.00	1,048.00	2056	29	46
7,157.35	85,888.22	34,446.94	6,345.12	528.76	2,777.00	4,168.94	6,758.00	44,096.00	4,050.00	6,350.00	54,496.00	1,048.00	2055	28	45
6,982.78	83,793.39	34,446.94	6,345.12	528.76	2,777.00	4,168.94	6,758.00	44,096.00	4,050.00	6,350.00	54,496.00	1,048.00	2054	27	4
6,812.47	81,749.65	34,446.94	6,345.12	528.76	2,777.00	4,168.94	6,758.00	44,096.00	4,050.00	6,350.00	54,496.00	1,048.00	2053	26	: 43
6,646.31	79,755.75	34,446.94	6,345.12	528.76	2,777.00	4,168.94	6,758.00	44,096.00	4,050.00	6,350.00	54,496.00	1,048.00	2052	25	42
6,484.21	77,810.49	34,446.94	6,345.12	528.76	2,777.00	4,168.94	6,758.00	44,096.00	4,050.00	6,350.00	54,496.00	1,048.00	2051	24	41
6,326.06	75,912.67	34,446.94	6,345.12	528.76	2,777.00	4,168.94	6,758.00	44,096.00	4,050.00	6,350.00	54,496.00	1,048.00	2050	23	40
6,171.76	74,061,15	34,446.94	6,345.12	528.76	2,777.00	4,168.94	6,758.00	44,096.00	4,050.00	6,350.00	54,496.00	1,048.00	2049	23	39
6,021.23	72,254.78	34,446.94	6,345.12	528.76	2,777.00	4,168.94	6,758.00	44,096.00	4,050.00	6,350.00	54,496.00	1,048.00	2048	21	38
5,874.37	70,492,46	34,446.94	6,345.12	528.76	2,777.00	4,168.94	6,758.00	44,096.00	4,050.00	6,350.00	54,496.00	1,048.00	2047	20	37
5,731.09	68,773.14	34,446.94	6,345.12	528.76	2,777.00	4,168.94	6,758.00	44,096.00	4,050.00	6,350.00	54,496.00	1,048.00	2046	19	36
5,591.31	67,095.74	34,446.94	6,345.12	528.76	2,777.00	4,168.94	6,758.00	44,096.00	4,050.00	6,350.00	54,496.00	1,048.00	2045	18	35
5,454.94	65,459.26	34,446.94	6,345.12	528.76	2,777.00	4,168.94	6,758.00	44,096.00	4,050.00	6,350.00	54,496.00	1,048.00	2044	17	34
5,321.89	63,862.69	34,446.94	6,345.12	528.76	2,777.00	4,168.94	6,758.00	44,096.00	4,050.00	6,350.00	54,496.00	1,048.00	2043	16	33
													YEAR	of Years	AGE
													CALENDAR	Number	
	2.50%	100.00%	\$6,345.12	528.76	\$2,777.00	\$4,168.94	6,758.00	44,096	4,050	6,350	\$54,496.00	\$1,048.00			
	GROWTH RATE	PERCENTAGE OF	PI				Federal Tax	Taxable Income	Exemption	Standard Deduction					
						FICA		Federal Taxes - 2017	Federal T	Š	LESS:				
				(2)											
			roncy	Policy								3			
Wage Loss	Growth Rate		Insurance	of a Health							Annual Wage				
Monthly Amount of	Applying the	IOIALS	Monthly Cost Cost of a Health	Monthly Cost	Georgia						Gross	Weekly Non-Farm	_		
		300		ı	C1.1.7						Average	Average Cross			

Notes: 1 2

This Report was generated using Sequoia Settlement Services, LLC Software (c) 1990

Bureau of Labor Statistics, U. S. Department of Labor, Letter dated February 22, 2018 [Attached as Exhibit 1] In accordance with 42 CFR Sec.100.2, Delivered to the U.S. Court of Federal Claims on October 24, 2017 [Attached as Exhibit 2]