

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 09-161 V

Filed: July 9, 2012

Not for Publication

DUSTY GOLDEN *
and BRIDGET GOLDEN, *
legal representatives of a minor child, *
HAILEY GOLDEN, *

Petitioners, *

Damages Decision Based on Proffer

v. *

SECRETARY OF HEALTH *
AND HUMAN SERVICES, *

Respondent. *

Daniel B. Graves, Tulsa, OK, for petitioners.
Alexis B. Babcock, Washington, DC, for respondent.

MILLMAN, Special Master

DECISION AWARDING DAMAGES¹

On July 9, 2012, respondent filed a Proffer on Award of Compensation. Also on July 9, 2012, petitioners communicated to the undersigned's law clerk that they accept respondent's Proffer. Based on the record as a whole, the undersigned finds that petitioners are entitled to the award as stated in the Proffer. Pursuant to the terms stated in the attached Proffer, the court

¹ Because this decision contains a reasoned explanation for the special master's action in this case, the special master intends to post this decision on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002). Vaccine Rule 18(b) states that all decisions of the special masters will be made available to the public unless they contain trade secrets or commercial or financial information that is privileged and confidential, or medical or similar information whose disclosure would constitute a clearly unwarranted invasion of privacy. When such a decision is filed, petitioner has 14 days to identify and move to redact such information prior to the document's disclosure. If the special master, upon review, agrees that the identified material fits within the banned categories listed above, the special master shall redact such material from public access.

awards petitioners:

- a. A lump sum payment in the amount of **\$939,484.00**, representing compensation for life care expenses for Year One (\$143,767.00), future lost earnings (\$616,218.00), and past and future pain and suffering (\$179,499.00). The award shall be in the form of a check payable to the Guardian of the Estate of Hailey Golden;
- b. A lump sum payment in the amount of **\$33,484.43**, representing compensation for past unreimbursable expenses. The award shall be in the form of a check payable to petitioners, Dusty and Bridget Golden;
- c. A lump sum payment in the amount of **\$910.39**, representing reimbursement of a Missouri Medicaid lien. The award shall be in the form of a check payable to the Guardian of the Estate of Hailey Golden and Missouri HealthNet;
- d. A lump sum payment in the amount of **\$37,627.89**, representing reimbursement of an Oklahoma Medicaid lien. The award shall be in the form of a check payable to the Guardian of the Estate of Hailey Golden and the Oklahoma Health Care Authority; and
- e. An amount sufficient to purchase an annuity contract described in paragraph II.G. of the attached Proffer and subject to the conditions described in the Proffer.

In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court is directed to enter judgment herewith.²

IT IS SO ORDERED.

Dated: July 9, 2012

/s/ Laura D. Millman
Laura D. Millman
Special Master

² Pursuant to Vaccine Rule 11(a), entry of judgment can be expedited by each party's filing a notice renouncing the right to seek review.

the chart entitled **TAB A: Summary of Life Care Items**.¹ Respondent proffers that Hailey Golden should be awarded all items of compensation that are set forth in the life care plan and illustrated by the chart attached as Tab A. Petitioners agree.

Respondent further proffers that the appropriate growth rate for life care items of compensation should be four (4%) for non-medical items and six (6%) for medical items, compounded annually from the date of judgment, as set forth in **Tab B: Annuity Funding Portfolio**. Petitioners agree.

B. LOST FUTURE EARNINGS

The parties agree that based upon the evidence in the record, Hailey Golden will not be able to engage in full-time gainful employment. Therefore, the respondent proffers that Hailey Golden is entitled to receive future lost earnings compensation provided for under the Vaccine Act, 42 U.S.C. §300aa-15(a)(3)(B) in the amount of \$616,218.00, as set forth in **Tab C: Wage Loss Analysis**. Petitioners agree.

C. PAIN AND SUFFERING

Respondent proffers that Hailey Golden should be awarded \$179,499.00 in actual and projected pain and suffering. This amount reflects that the award for projected pain and suffering has been reduced to net present value as set forth in **Tab D: Pain and Suffering Calculation**. See 42 U.S.C. § 300aa-15(a)(4). Petitioners agree.

¹ The chart at Tab A illustrates the annual benefits as contained in the life care plan. The annual benefit years run from the date of judgment up to the first anniversary of the date of judgment and every year thereafter up to the anniversary of the date of judgment.

D. PAST UNREIMBURSED EXPENSES

Evidence supplied by petitioners document their expenditure of past unreimbursable expenses related to Hailey Golden's vaccine-related injury.

Respondent proffers that the petitioners are entitled to past un-reimbursed expenses in the amount of \$33,484.43. Petitioners agree.

E. MEDICAID LIEN

Respondent proffers that Hailey Golden is entitled to reimbursement for a Missouri Medicaid lien filed against her in the amount of \$910.39. Respondent shall provide reimbursement for this lien as soon as practicable after entry of judgment by making a payment to the Guardian of the Estate of Hailey Golden and the Missouri HealthNet, Cost Recovery Unit, P.O. Box 6500, Jefferson City, MO 65102-6500, (573) 751-2005, ATTN: Ms. Linda Schroer.

Respondent further proffers that Hailey Golden is entitled to reimbursement for a Oklahoma Medicaid lien filed against her in the amount of \$37,627.89. Respondent shall provide reimbursement for this lien as soon as practicable after entry of judgment by making a payment to the Guardian of the Estate of Hailey Golden and the Oklahoma Health Care Authority, Third Party Liability Unit, 2401 N.W. 23rd Street, Suite 1-A, Oklahoma City, OK 73107, (405) 522-7255, ATTN: Ms. Jayna Sims.

II. Form of the Award

The parties recommend that the compensation provided to Hailey Golden should be made through a combination of lump sum payments and future annuity payments as described below, and request that the Special Master's decision and the

Court's judgment award the following for all compensation available under 42 U.S.C. § 300aa-15(a):

A. A lump sum payment of \$143,767.00, representing life care expenses for Year 1 shall be awarded in the form of a check payable to the Guardian of the Estate of Hailey Golden.

B. A lump sum in the amount of \$616,218.00, representing compensation for future lost earnings, shall be awarded in the form of a check payable to the Guardian of the Estate of Hailey Golden

C. A lump sum in the amount of \$179,499.00, representing compensation for past and future pain and suffering, shall be awarded in the form of a check payable to the Guardian of the Estate of Hailey Golden.

D. A lump sum payment of \$33,484.43, representing compensation for past unreimbursed expenses shall be awarded in the form of a check payable to petitioners, Dusty and Bridget Golden.

E. A lump sum in the amount of \$910.39, representing reimbursement of a Missouri Medicaid Lien, shall be awarded in the form of a check payable to the Guardian of the Estate of Hailey Golden and the Missouri Health Net.

F. A lump sum in the amount of \$37,627.89, representing reimbursement of a Oklahoma Medicaid Lien, shall be awarded in the form of a check payable to the Guardian of the Estate of Hailey Golden and the Oklahoma Health Care Authority.

G. An amount sufficient to purchase an annuity contract, paid to the life insurance company² from which the annuity will be purchased, subject to the conditions described below, that will provide payments for the items contained in the life care plan as illustrated by Tab B, attached hereto. Compensation for Year Two (beginning on the first anniversary of the date of judgment) and all subsequent payments shall be provided through respondent's purchase of an annuity, which annuity will make payments directly to the Guardian of the Estate of Hailey Golden, only so long as Hailey Golden is alive at the time a particular payment is due. Payments will be provided in annual or other installments. The "annual amounts" set forth in Tab B describe the total year sum to be paid and do not require that the payment be made in one single payment.

The parties acknowledge that The Trust Company of Oklahoma has been appointed Guardian of the Estate for Hailey Golden in a court order dated February 29,

² The Life Insurance Company must have a minimum of \$250,000,000 capital and surplus, exclusive of any mandatory security valuation reserve. The Life Insurance Company must have one of the following ratings from two of the following rating organizations:

- a. A.M. Best Company: A++, A+, A+g, A+p, A+r, or A+s;
- b. Moody's Investor Service Claims Paying Rating: Aa3, Aa2, Aa1, or Aaa;
- c. Standard and Poor's Corporation Insurer Claims-Paying Ability Rating: AA-, AA, AA+, or AAA;
- d. Fitch Credit Rating Company, Insurance Company Claims Paying Ability Rating: AA-, AA, AA+, or AAA.

2012 issued by the District Court of Ottawa County, State of Oklahoma.

1. Growth Rates

Respondent proffers that a four percent (4.0%) growth rate should be applied to all non-medical life care items, a six percent (6.0%) growth rate should be applied to all medical life care items. The benefits illustrated in the chart at Tab B that are to be paid through annuity payments should grow as follows: four percent (4.0%) compounded annually from the date of judgment for non-medical items, and six percent (6.0%) compounded annually from the date of judgment for medical items. Petitioners agree.

2. Life-contingent Annuity

Hailey Golden will continue to receive the annuity payments for future medical care from the Life Insurance Company only so long as Hailey Golden is alive at the time that a particular payment is due. Written notice to the Secretary of Health and Human Services and the Life Insurance Company shall be made by the Guardian of the Estate within twenty (20) days of Hailey Golden's death.

III. Summary of Recommended Payments Following Judgment

- A. Lump Sum paid to the Guardian of the Estate of Hailey Golden: \$939,484.00
- B. Lump Sum paid to Petitioners: \$33,484.43
- C. Lump Sum paid to the Guardian of the Estate of Hailey Golden and Missouri HealthNet in the amount of: \$910.39
- D. Lump Sum paid to the Guardian of the Estate of Hailey Golden and Oklahoma health Care Authority in the amount of: \$37,627.89
- E. An amount sufficient to purchase the annuity contract described above in section II. G.

Respectfully submitted,

STUARY F. DELERY
Acting Assistant Attorney General

RUPA BHATTACHARYYA
Director
Torts Branch, Civil Division

MARK W. ROGERS
Deputy Director
Torts Branch, Civil Division

LINDA S. RENZI
Senior Trial Counsel
Torts Branch, Civil Division

s/ Alexis B. Babcock

ALEXIS B. BABCOCK
Trial Attorney
Torts Branch, Civil Division
U.S. Department of Justice
P.O. Box 146, Ben Franklin Station
Washington, DC 20044-0146
Tel.: (202) 616-7678

Date: July 9, 2012

Pet. Hailey Golden
D.O.B. 06/24/2005

DATE: 07/09/12
TIME: 02:36 PM

SUMMARY OF LIFE CARE ITEMS - AGREED UPON LIFE CARE PLAN dated July 9, 2012

ITEM OF CARE		Insurance	Ancillary Services	Medications	Supplies	Home Services	Transportation	Home Mods	TOTALS of Items with a 6.0% Growth Rate	TOTALS of Items with a 4.0% Growth Rate	TOTALS OF 4.0% & 6.0% ITEMS & APPLYING THE GROWTH RATE
GROWTH RATE		6.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%			
AGE	YEAR										
7	2012	13,935.00	13,597.50	0.00	3,560.00	51,200.00	50,479.00	6,800.00	13,935	125,637	139,572
8	2013	13,935.00	10,020.00	0.00	1,162.86	51,200.00	4,979.00	0.00	13,935	67,362	84,827
9	2014	13,935.00	10,020.00	0.00	1,162.86	51,200.00	4,979.00	0.00	13,935	67,362	88,516
10	2015	13,935.00	7,800.00	0.00	1,162.86	51,200.00	4,979.00	0.00	13,935	65,142	89,873
11	2016	13,935.00	7,800.00	0.00	1,162.86	51,200.00	4,979.00	0.00	13,935	65,142	93,799
12	2017	13,935.00	7,800.00	0.00	1,162.86	51,200.00	4,979.00	0.00	13,935	65,142	97,903
13	2018	13,935.00	7,175.00	0.00	1,162.86	51,200.00	4,979.00	0.00	13,935	64,517	101,401
14	2019	13,935.00	7,175.00	0.00	1,162.86	51,200.00	4,979.00	0.00	13,935	64,517	105,853
15	2020	13,935.00	7,175.00	0.00	4,162.86	51,200.00	4,979.00	0.00	13,935	67,517	114,612
16	2021	13,935.00	7,175.00	0.00	1,412.86	51,200.00	4,979.00	0.00	13,935	64,767	115,726
17	2022	13,935.00	7,175.00	0.00	1,412.86	51,200.00	4,979.00	0.00	13,935	64,767	120,826
18	2023	13,935.00	6,550.00	0.00	1,412.86	51,200.00	4,979.00	0.00	13,935	64,142	125,196
19	2024	14,989.00	6,550.00	0.00	1,412.86	51,200.00	4,979.00	0.00	14,989	64,142	132,854
20	2025	14,989.00	6,550.00	0.00	1,612.86	51,200.00	4,979.00	6,800.00	14,989	71,142	150,427
21	2026	14,989.00	3,456.00	0.00	7,162.86	51,200.00	4,979.00	0.00	14,989	66,798	149,561
22	2027	14,989.00	3,456.00	0.00	2,241.43	131,400.00	4,979.00	0.00	14,989	142,076	291,794
23	2028	14,989.00	3,456.00	0.00	2,241.43	131,400.00	4,979.00	0.00	14,989	142,076	304,184
24	2029	14,989.00	3,456.00	0.00	2,241.43	131,400.00	4,979.00	0.00	14,989	142,076	317,113
25	2030	15,564.00	3,456.00	0.00	2,241.43	131,400.00	4,979.00	0.00	15,564	142,076	332,246
26	2031	15,564.00	3,456.00	0.00	2,241.43	131,400.00	4,979.00	0.00	15,564	142,076	346,424
27	2032	15,564.00	3,456.00	0.00	2,241.43	131,400.00	4,979.00	0.00	15,564	142,076	361,223
28	2033	15,564.00	3,456.00	0.00	2,241.43	131,400.00	4,979.00	0.00	15,564	142,076	376,670
29	2034	15,564.00	3,456.00	0.00	2,241.43	131,400.00	4,979.00	0.00	15,564	142,076	392,795
30	2035	16,370.00	3,456.00	0.00	2,441.43	131,400.00	4,979.00	0.00	16,370	142,276	413,200
31	2036	16,370.00	3,456.00	0.00	2,241.43	131,400.00	4,979.00	0.00	16,370	142,076	430,466
32	2037	16,370.00	3,456.00	0.00	2,241.43	131,400.00	4,979.00	0.00	16,370	142,076	449,010
33	2038	16,370.00	3,456.00	0.00	2,241.43	131,400.00	4,979.00	0.00	16,370	142,076	468,376
34	2039	16,370.00	3,456.00	0.00	2,241.43	131,400.00	4,979.00	0.00	16,370	142,076	488,601
35	2040	16,924.00	3,456.00	0.00	2,241.43	131,400.00	4,979.00	0.00	16,924	142,076	512,555
36	2041	17,121.00	3,456.00	0.00	2,241.43	131,400.00	4,979.00	0.00	17,121	142,076	535,855
37	2042	17,323.00	3,456.00	0.00	2,241.43	131,400.00	4,979.00	0.00	17,323	142,076	560,305
38	2043	17,542.00	3,456.00	0.00	2,241.43	131,400.00	4,979.00	0.00	17,542	142,076	586,040
39	2044	17,768.00	3,456.00	0.00	2,241.43	131,400.00	4,979.00	0.00	17,768	142,076	613,076
40	2045	18,002.00	3,456.00	0.00	2,441.43	131,400.00	4,979.00	0.00	18,002	142,276	642,223
41	2046	18,243.00	3,456.00	0.00	2,241.43	131,400.00	4,979.00	0.00	18,243	142,076	671,363
42	2047	18,492.00	3,456.00	0.00	2,241.43	131,400.00	4,979.00	0.00	18,492	142,076	702,777
43	2048	18,749.00	3,456.00	0.00	2,241.43	131,400.00	4,979.00	0.00	18,749	142,076	735,825
44	2049	5,465.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	5,465	143,076	657,859
45	2050	5,465.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	5,465	143,076	685,118
46	2051	5,465.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	5,465	143,076	713,523

Pet. Hailey Golden
D.O.B. 06/24/2005

DATE: 07/09/12
TIME: 02:36 PM

SUMMARY OF LIFE CARE ITEMS - AGREED UPON LIFE CARE PLAN dated July 9, 2012

ITEM OF CARE		Insurance	Ancillary Services	Medications	Supplies	Home Services	Trans- portation	Home Mods	TOTALS of Items with a 6.0% Growth Rate	TOTALS of Items with a 4.0% Growth Rate	TOTALS OF 4.0% & 6.0% ITEMS & APPLYING THE GROWTH RATE
GROWTH RATE		6.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%			
AGE	YEAR										
47	2052	5,465.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	5,465	143,076	743,124
48	2053	5,465.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	5,465	143,076	773,974
49	2054	5,465.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	5,465	143,076	806,124
50	2055	5,465.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	5,465	143,076	839,632
51	2056	5,465.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	5,465	143,076	874,557
52	2057	5,465.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	5,465	143,076	910,958
53	2058	5,465.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	5,465	143,076	948,901
54	2059	5,465.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	5,465	143,076	988,452
55	2060	5,465.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	5,465	143,076	1,029,680
56	2061	5,465.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	5,465	143,076	1,072,659
57	2062	5,465.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	5,465	143,076	1,117,465
58	2063	5,465.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	5,465	143,076	1,164,177
59	2064	5,465.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	5,465	143,076	1,212,878
60	2065	5,465.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	5,465	143,076	1,263,655
61	2066	5,465.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	5,465	143,076	1,316,600
62	2067	5,465.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	5,465	143,076	1,371,805
63	2068	5,465.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	5,465	143,076	1,429,372
64	2069	5,465.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	5,465	143,076	1,489,403
65	2070	3,642.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	3,642	143,076	1,498,485
66	2071	3,642.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	3,642	143,076	1,560,563
67	2072	3,642.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	3,642	143,076	1,625,252
68	2073	3,642.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	3,642	143,076	1,692,665
69	2074	3,642.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	3,642	143,076	1,762,918
70	2075	3,642.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	3,642	143,076	1,836,135
71	2076	3,642.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	3,642	143,076	1,912,442
72	2077	3,642.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	3,642	143,076	1,991,973
73	2078	3,642.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	3,642	143,076	2,074,868
74	2079	3,642.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	3,642	143,076	2,161,271
75	2080	3,642.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	3,642	143,076	2,251,335
76	2081	3,642.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	3,642	143,076	2,345,218
77	2082	3,642.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	3,642	143,076	2,443,086
78	2083	3,642.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	3,642	143,076	2,545,113
79	2084	3,642.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	3,642	143,076	2,651,478
80	2085	3,642.00	3,456.00	1,000.00	2,241.43	131,400.00	4,979.00	0.00	3,642	143,076	2,762,372
		750,025	319,923	37,000	162,934	8,520,600	413,946	13,600	750,025	9,468,003	66,768,157
		7.34%	3.13%	0.36%	1.59%	83.39%	4.05%	0.13%			100.00%

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

Golden Agreed LC Plan and Wage Loss Rev10 07 09 12.xls

ANNUITY FUNDING PORTFOLIO

AGREED LIFE CARE PLAN dated July 9, 2012

4.0 % and 6.0% GROWTH RATES

DATE: 07/09/12
TIME: 02:34 PM

Pet. Hailey Golden
D.O.B. 06/24/2005

	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Item	TOTAL	ANNUAL	CASH &	ANNUITY	ANNUITY	ANNUITY	ANNUITY	ANNUITY	ANNUITY	ANNUITY	ANNUAL	CUMULATIVE
Starting Amount	MEDICAL	STRUCTURED	ANNUITY	30,176	14,771	4,370	31,454	68,000	3,946	257,672	SAFETY	SAFETY
Inflation Factor	CARE NEEDS	SETTLEMENT	LUMP	6.00%	6.00%	6.00%	6.00%	4.00%	4.00%	4.00%	MARGIN	MARGIN
Beginning Year	2012	BENEFITS	SUMS	2027	2013	2027	2049	2013	2027	2027	2012	2012
Ending Year	2085			2048	2026	2069	LIFE	2026	2046	LIFE	2085	2085
AGE	YEAR	TOTAL	S/S	Cash &	Deferred	Deferred	Deferred	Deferred	Deferred	Deferred	Safety	Cum.Safety
		NEEDS	TOTAL	Lump Sums	Annuity	Annuity	Annuity	Annuity	Annuity	Annuity	Margin	Margin
7	2012	139,572	143,767	143,767							4,196	4,196
8	2013	84,827	82,771		14,771			68,000			-2,056	2,139
9	2014	88,516	86,377		15,657			70,720			-2,139	0
10	2015	89,873	90,145		16,597			73,549			273	273
11	2016	93,799	94,083		17,592			76,491			284	557
12	2017	97,903	98,198		18,648			79,550			295	852
13	2018	101,401	102,499		19,767			82,732			1,098	1,950
14	2019	105,853	106,995		20,953			86,042			1,142	3,092
15	2020	114,612	111,693		22,210			89,483			-2,918	174
16	2021	115,726	116,605		23,543			93,063			879	1,053
17	2022	120,826	121,740		24,955			96,785			914	1,967
18	2023	125,196	127,109		26,453			100,657			1,913	3,880
19	2024	132,854	132,723		28,040			104,683			-131	3,749
20	2025	150,427	151,508	12,916	29,722			108,870			1,081	4,830
21	2026	149,561	144,730		31,505			113,225			-4,830	0
22	2027	291,794	296,164		30,176		4,370		3,946	257,672	4,370	4,370
23	2028	304,184	308,701		31,987		4,632		4,104	267,979	4,518	8,888
24	2029	317,113	321,782		33,906		4,910		4,268	278,698	4,669	13,557
25	2030	332,246	335,430		35,940		5,205		4,439	289,846	3,184	16,741
26	2031	346,424	349,670		38,097		5,517		4,616	301,440	3,246	19,986
27	2032	361,223	364,529		40,382		5,848		4,801	313,497	3,306	23,292
28	2033	376,670	380,034		42,805		6,199		4,993	326,037	3,364	26,657
29	2034	392,795	396,216		45,374		6,571		5,193	339,079	3,421	30,077
30	2035	413,200	413,103		48,096		6,965		5,400	352,642	-97	29,980
31	2036	430,466	430,729		50,982		7,383		5,616	366,748	263	30,243
32	2037	449,010	449,125		54,041		7,826		5,841	381,418	115	30,358
33	2038	468,376	468,328		57,283		8,296		6,075	396,674	-48	30,309
34	2039	488,601	488,372		60,720		8,793		6,318	412,541	-228	30,081
35	2040	512,555	509,297		64,363		9,321		6,570	429,043	-3,258	26,823
36	2041	535,855	531,143		68,225		9,880		6,833	446,205	-4,712	22,111
37	2042	560,305	553,951		72,319		10,473		7,107	464,053	-6,354	15,757
38	2043	586,040	577,765		76,658		11,101		7,391	482,615	-8,276	7,481
39	2044	613,076	693,474	90,844	81,257		11,767		7,686	501,919	80,398	87,879
40	2045	642,223	628,596		86,133		12,473		7,994	521,996	-13,627	74,252
41	2046	671,363	655,712		91,300		13,222		8,314	542,876	-15,651	58,601
42	2047	702,777	675,385		96,779		14,015			564,591	-27,393	31,209
43	2048	735,825	704,616		102,585		14,856			587,175	-31,209	0

ANNUITY FUNDING PORTFOLIO

AGREED LIFE CARE PLAN dated July 9, 2012

4.0 % and 6.0% GROWTH RATES

DATE: 07/09/12
TIME: 02:34 PM

Pet. Hailey Golden
D.O.B. 06/24/2005

	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
Item	TOTAL	ANNUAL	CASH &	ANNUITY	ANNUAL	CUMULATIVE						
Starting Amount	MEDICAL	STRUCTURED	ANNUITY	30,176	14,771	4,370	31,454	68,000	3,946	257,672	SAFETY	SAFETY
Inflation Factor	CARE NEEDS	SETTLEMENT	LUMP	6.00%	6.00%	6.00%	6.00%	4.00%	4.00%	4.00%	MARGIN	MARGIN
Beginning Year	2012	BENEFITS	SUMS	2027	2013	2027	2049	2013	2027	2027	2012	2012
Ending Year	2085			2048	2026	2069	LIFE	2026	2046	LIFE	2085	2085

AGE	YEAR	TOTAL NEEDS	S/S TOTAL	Cash & Lump Sums	Deferred Annuity	Safety Margin	Cum.Safety Margin						
44	2049	657,859	657,863				15,747	31,454			610,662	4	4
45	2050	685,118	685,122				16,692	33,341			635,088	4	8
46	2051	713,523	713,527				17,694	35,342			660,492	4	12
47	2052	743,124	743,129				18,755	37,462			686,911	5	17
48	2053	773,974	773,979				19,881	39,710			714,388	5	22
49	2054	806,124	806,130				21,074	42,093			742,963	5	27
50	2055	839,632	839,638				22,338	44,618			772,682	6	33
51	2056	874,557	874,563				23,678	47,295			803,589	6	39
52	2057	910,958	910,965				25,099	50,133			835,733	7	46
53	2058	948,901	948,908				26,605	53,141			869,162	7	53
54	2059	988,452	988,459				28,201	56,329			903,929	7	60
55	2060	1,029,680	1,029,688				29,893	59,709			940,086	8	68
56	2061	1,072,659	1,072,668				31,687	63,292			977,689	8	76
57	2062	1,117,465	1,117,474				33,588	67,089			1,016,797	9	85
58	2063	1,164,177	1,164,186				35,603	71,114			1,057,469	10	95
59	2064	1,212,878	1,212,888				37,740	75,381			1,099,767	10	105
60	2065	1,263,655	1,263,666				40,004	79,904			1,143,758	11	116
61	2066	1,316,600	1,316,611				42,404	84,698			1,189,508	12	127
62	2067	1,371,805	1,371,818				44,949	89,780			1,237,089	12	140
63	2068	1,429,372	1,429,385				47,646	95,167			1,286,572	13	153
64	2069	1,489,403	1,489,416				50,504	100,877			1,338,035	14	167
65	2070	1,498,485	1,498,486					106,930			1,391,556	2	168
66	2071	1,560,563	1,560,564					113,346			1,447,219	2	170
67	2072	1,625,252	1,625,254					120,146			1,505,107	2	172
68	2073	1,692,665	1,692,667					127,355			1,565,312	2	174
69	2074	1,762,918	1,762,921					134,997			1,627,924	2	176
70	2075	1,836,135	1,836,137					143,096			1,693,041	3	179
71	2076	1,912,442	1,912,445					151,682			1,760,763	3	182
72	2077	1,991,973	1,991,976					160,783			1,831,193	3	185
73	2078	2,074,868	2,074,871					170,430			1,904,441	3	188
74	2079	2,161,271	2,161,274					180,656			1,980,619	4	191
75	2080	2,251,335	2,251,339					191,495			2,059,843	4	195
76	2081	2,345,218	2,345,222					202,985			2,142,237	4	199
77	2082	2,443,086	2,443,091					215,164			2,227,927	4	204
78	2083	2,545,113	2,545,117					228,074			2,317,044	5	209
79	2084	2,651,478	2,651,484					241,758			2,409,725	5	214
80	2085	2,762,372	2,762,378					256,264			2,506,114	6	220

ITEMIZED TOTALS 66,768,157 66,768,377 247,527 1,309,406 310,414 819,408 4,003,091 1,243,850 117,504 58,717,177 220 220
 This Report was generated using Sequoia Settlement Services, Inc. Software (c) 1990 Golden Agreed LC Plan and Wage Loss Rev10 07 09 12.xls

Pet. Hailey Golden
D.O.B. 06/24/2005

DATE: 07/09/12
TIME: 01:21 PM

Net Discount
Rate
2.00%

WAGE LOSS ANALYSIS

			Average Gross Weekly Wage (1)	Average Gross Annual Wage	LESS: Federal Taxes - 2011		FICA	State Taxes Oklahoma 2011	Average Monthly Cost of a Health Insurance Policy (2)	Average Annual Cost of a Health Insurance Policy	TOTALS without applying any Growth Rate	PERCENTAGE OF WAGE LOSS	ANNUAL NET PRESENT VALUE	
			\$887.00	\$46,124.00	5,800	3,700	36,624	5,281.00	\$3,528.49	\$1,931.00	444.60	\$5,335.20	100.00%	
AGE	Number of Years	CALENDAR YEAR												
7		2012												
8		2013												
9		2014												
10		2015												
11		2016												
12		2017												
13		2018												
14		2019												
15		2020												
16		2021												
17		2022												
18	1	2023	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	24,166.75
19	2	2024	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	23,692.89
20	3	2025	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	23,228.32
21	4	2026	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	22,772.87
22	5	2027	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	22,326.34
23	6	2028	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	21,888.57
24	7	2029	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	21,459.38
25	8	2030	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	21,038.61
26	9	2031	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	20,626.09
27	10	2032	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	20,221.65
28	11	2033	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	19,825.15
29	12	2034	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	19,436.42
30	13	2035	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	19,055.32
31	14	2036	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	18,681.68
32	15	2037	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	18,315.37
33	16	2038	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	17,956.25

Pet. Hailey Golden
D.O.B. 06/24/2005

DATE: 07/09/12
TIME: 01:21 PM

Net Discount
Rate
2.00%

WAGE LOSS ANALYSIS

			Average Gross Weekly Wage (1)	Average Gross Annual Wage	LESS: Federal Taxes - 2011				FICA	State Taxes Oklahoma 2011	Average Monthly Cost of a Health Insurance Policy (2)	Average Annual Cost of a Health Insurance Policy	TOTALS without applying any Growth Rate	PERCENTAGE OF WAGE LOSS	ANNUAL NET PRESENT VALUE
			\$887.00	\$46,124.00	5,800	3,700	36,624	5,281.00	\$3,528.49	\$1,931.00	444.60	\$5,335.20	100.00%		
AGE	Number of Years	CALENDAR YEAR	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	17,604.17	
34	17	2039	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	17,258.99	
35	18	2040	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	16,920.58	
36	19	2041	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	16,588.80	
37	20	2042	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	16,263.53	
38	21	2043	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	15,944.64	
39	22	2044	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	15,632.00	
40	23	2045	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	15,325.49	
41	24	2046	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	15,024.99	
42	25	2047	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	14,730.38	
43	26	2048	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	14,441.55	
44	27	2049	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	14,158.38	
45	28	2050	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	13,880.77	
46	29	2051	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	13,608.59	
47	30	2052	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	13,341.76	
48	31	2053	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	13,080.16	
49	32	2054	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	12,823.68	
50	33	2055	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	12,572.24	
51	34	2056	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31	12,325.72	
52	35	2057	887.00	46,124.00	5,800.00	3,700.00	36,624.00	5,281.00	3,528.49	1,931.00	444.60	5,335.20	30,048.31		
													1,051,690.99	616,218	

Notes:

- 1 Bureau of Labor Statistics, U. S. Department of Labor, Letter dated March 1, 2012 [Attached as Exhibit 1]
- 2 In accordance with 42 CFR Sec.100.2, Delivered to the U.S. Court of Federal Claims, dated November 23, 2011 [Attached as Exhibit 2]

March 1, 2012

Assistant Director
U.S. Department of Justice
Civil Division Torts Branch
P.O. Box 146, Benjamin Franklin Station
Washington, DC 20044-0146

Dear Assistant Director:

I am writing to provide estimates from the Current Population Survey (CPS) of the average (mean) gross weekly earnings of workers in the private, non-farm sector.

For 2011, the figure for persons age 16 years and over was \$878, and for persons age 18 years and over it was \$887. These estimates are based on the quarter-sample data from the CPS and represent the annual average for the year. The universe for the estimates includes both full- and part-time workers; it excludes all government workers, all workers in agricultural production (crop and livestock), and all self-employed workers (whether incorporated or unincorporated). For your information, I have enclosed the pages from our annual tabulations of CPS earnings data that includes the figures.

If you have additional questions, please contact me on 202-691-6470.

Sincerely yours,
Chief, Division of Labor Force Statistics
Bureau of Labor Statistics

Table A-5C. Usual weekly earnings of employed wage and salary workers¹ by sex, race, and age, Annual Average 2011

(Source: Current Population Survey)

(Number of workers in thousands)

All workers in private nonfarm sector

Sex, race, and age	Total employed	Under \$100.00	\$100.00 to \$149.99	\$150.00 to \$199.99	\$200.00 to \$249.99	\$250.00 to \$299.99	\$300.00 to \$349.99	\$350.00 to \$399.99	\$400.00 to \$499.99	\$500.00 to \$599.99	\$600.00 to \$749.99	\$750.00 to \$999.99
Total, both sexes	103,787	3,026	2,900	3,703	4,215	4,193	5,752	5,244	11,496	9,358	11,830	14,200
Total men	55,072	1,115	1,074	1,363	1,715	1,697	2,578	2,338	5,674	4,564	6,256	7,962
Total women	48,715	1,911	1,826	2,341	2,500	2,497	3,173	2,906	5,822	4,794	5,574	6,238
White, both sexes	84,662	2,544	2,361	3,003	3,366	3,262	4,530	4,087	8,940	7,522	9,586	11,730
White men	45,581	923	859	1,087	1,365	1,326	2,056	1,846	4,426	3,740	5,126	6,660
White women	39,081	1,620	1,502	1,916	2,000	1,936	2,474	2,241	4,514	3,782	4,461	5,069
Black or African American, both sexes	11,345	285	344	470	581	646	774	794	1,673	1,222	1,383	1,460
Black or African American men	5,303	116	145	173	245	243	323	321	800	543	686	740
Black or African American women	6,041	168	198	296	335	403	451	473	872	679	697	721

Table A-5C. Usual weekly earnings of employed wage and salary workers¹ by sex, race, and age, Annual Average 2011

(Source: Current Population Survey)
(Number of workers in thousands) — Continued

All workers in private nonfarm sector

Sex, race, and age	\$1000.00 or more	\$1000.00 to \$1199.99	\$1200.00 to \$1499.99	\$1500.00 to \$1999.99	\$2000.00 or more	Median	Standard error	Mean	Standard error
Total, both sexes	27,869	8,007	6,870	6,756	6,236	\$613	\$1.52	\$878	\$5.70
Total men	18,736	5,024	4,363	4,698	4,652	717	2.98	1,019	8.71
Total women	9,133	2,983	2,507	2,058	1,584	520	2.04	718	6.76
White, both sexes	23,732	6,801	5,828	5,752	5,350	626	2.15	895	6.27
White men	16,166	4,311	3,742	4,065	4,048	738	3.30	1,042	9.51
White women	7,566	2,491	2,086	1,687	1,302	526	2.71	723	7.43
Black or African American, both sexes	1,714	626	465	345	277	506	3.31	685	15.08
Black or African American men	967	361	267	182	157	543	8.48	739	23.49
Black or African American women	747	265	199	163	120	480	4.61	638	18.60

¹ UNIVERSE: All employed wage and salary workers (both full- and part-time). ALL self-employed persons are excluded, regardless of whether or not their business is incorporated.

Medians are calculated using intervals centered around multiples of \$50. Median and mean weekly earnings are rounded to the nearest whole dollar.

Table A-5C. Usual weekly earnings of employed wage and salary workers¹ by sex, race, and age, Annual Average 2011

(Source: Current Population Survey)

(Number of workers in thousands)

All workers in private nonfarm sector

Sex, race, and age	Total employed	Under \$100.00	\$100.00 to \$149.99	\$150.00 to \$199.99	\$200.00 to \$249.99	\$250.00 to \$299.99	\$300.00 to \$349.99	\$350.00 to \$399.99	\$400.00 to \$499.99	\$500.00 to \$599.99	\$600.00 to \$749.99	\$750.00 to \$999.99
Asian, both sexes	5,376	97	98	128	155	173	271	230	562	418	564	748
Asian men	2,906	33	33	55	62	75	123	112	275	180	285	407
Asian women	2,470	64	65	73	93	97	148	118	286	238	280	341

Table A-5C. Usual weekly earnings of employed wage and salary workers¹ by sex, race, and age, Annual Average 2011

(Source: Current Population Survey)
 (Number of workers in thousands) — Continued

All workers in private nonfarm sector

Sex, race, and age	\$1000.00 or more	\$1000.00 to \$1199.99	\$1200.00 to \$1499.99	\$1500.00 to \$1999.99	\$2000.00 or more	Median	Standard error	Mean	Standard error
Asian, both sexes	1,933	419	467	539	508	\$734	\$9.01	\$1,084	\$34.41
Asian men	1,266	248	281	357	380	860	21.02	1,248	51.26
Asian women	667	171	186	182	128	612	8.48	891	44.05

¹ UNIVERSE: All employed wage and salary workers (both full- and part-time). ALL self-employed persons are excluded, regardless of whether or not their business is incorporated.

Medians are calculated using intervals centered around multiples of \$50. Median and mean weekly earnings are rounded to the nearest whole dollar.

Table A-5C. Usual weekly earnings of employed wage and salary workers¹ by sex, race, and age, Annual Average 2011

(Source: Current Population Survey)

(Number of workers in thousands)

All workers in private nonfarm sector

Sex, race, and age	Total employed	Under \$100.00	\$100.00 to \$149.99	\$150.00 to \$199.99	\$200.00 to \$249.99	\$250.00 to \$299.99	\$300.00 to \$349.99	\$350.00 to \$399.99	\$400.00 to \$499.99	\$500.00 to \$599.99	\$600.00 to \$749.99	\$750.00 to \$999.99
Persons 18 years and over	102,589	2,555	2,569	3,513	4,124	4,157	5,720	5,229	11,482	9,352	11,826	14,195

Table A-5C. Usual weekly earnings of employed wage and salary workers¹ by sex, race, and age, Annual Average 2011

(Source: Current Population Survey)
 (Number of workers in thousands) — Continued

All workers in private nonfarm sector

Sex, race, and age	\$1000.00 or more	\$1000.00 to \$1199.99	\$1200.00 to \$1499.99	\$1500.00 to \$1999.99	\$2000.00 or more	Median	Standard error	Mean	Standard error
Persons 18 years and over	27,868	8,006	6,870	6,756	6,236	\$618	\$1.63	\$887	\$5.76

¹ UNIVERSE: All employed wage and salary workers (both full- and part-time). ALL self-employed persons are excluded, regardless of whether or not their business is incorporated.

Medians are calculated using intervals centered around multiples of \$50. Median and mean weekly earnings are rounded to the nearest whole dollar.

Exhibit 2



Instrument	Number of respondents	Responses per respondent	Total responses	Hours per response	Total burden hours
ADAP Personnel Interview	32	1	32	1.5	48
State HIV/AIDS Lead Interview	8	1	8	1.5	12
Alternative State/Local Program Informant Interview	24	1	24	1.5	36
Total					96

Email comments to paperwork@hrsa.gov or mail the HRSA Reports Clearance Officer, Room 10-33, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857. Written comments should be received within 60 days of this notice.

Dated: December 29, 2011.
 Reva Harris,
Acting Director, Division of Policy and Information Coordination.
 [FR Doc. 2011-33854 Filed 1-5-12; 8:45 am]
BILLING CODE 4165-15-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

National Vaccine Injury Compensation Program: Revised Amount of the Average Cost of a Health Insurance Policy

The Health Resources and Services Administration (HRSA) is publishing an updated monetary amount of the average cost of a health insurance policy as it relates to the National Vaccine Injury Compensation Program (VICP).

Section 100.2 of the VICP's implementing regulation (42 CFR Part 100) states that the revised amounts of an average cost of a health insurance policy, as determined by the Secretary, are to be published periodically in a notice in the *Federal Register* and filed with the United States Court of Federal Claims (the Court). This figure is calculated using the most recent Medical Expenditure Panel Survey-Insurance Component (MEPS-IC) data available as the baseline for the average monthly cost of a health insurance policy. This baseline is adjusted by the annual percentage increase/decrease obtained from the most recent annual Kaiser Family Foundation and Health Research and Educational Trust (KFF/HRET) Employer Health Benefits survey or other authoritative source that may be more accurate or appropriate.

In 2011, MEPS-IC, available at www.meps.ahrq.gov, published the annual 2010 average total single premium per enrolled employee at private-sector establishments that

provide health insurance. The figure published was \$4,940. This figure is divided by 12-months to determine the cost per month of \$411.67. The \$411.67 shall be increased or decreased by the percentage change reported by the most recent KFF/HRET, available at <http://www.kff.org>. The percentage increase was published at 8 percent. By adding this percentage increase, the calculated average monthly cost of a health insurance policy for 12-month period is \$444.60.

Therefore, the Secretary announces that the revised average cost of a health insurance policy under the VICP is \$444.60 per month. In accordance with § 100.2, the revised amount was effective upon its delivery by the Secretary to the Court. Such notice was delivered to the Court on November 23, 2011.

Dated: December 28, 2011.
 Mary K. Wakefield,
Administrator.
 [FR Doc. 2011-33856 Filed 1-5-12; 8:45 am]
BILLING CODE 4165-15-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5601-N-01]

Federal Property Suitable as Facilities To Assist the Homeless

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: This Notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for use to assist the homeless.

FOR FURTHER INFORMATION CONTACT: Juanita Perry, Department of Housing and Urban Development, 451 Seventh Street SW., Room 7266, Washington, DC 20410; telephone (202) 708-1234; TTY number for the hearing- and speech-impaired (202) 708-2565 (these telephone numbers are not toll-free), or call the toll-free Title V information line at (800) 927-7588.

SUPPLEMENTARY INFORMATION: In accordance with 24 CFR part 581 and section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411), as amended, HUD is publishing this Notice to identify Federal buildings and other real property that HUD has reviewed for suitability for use to assist the homeless. The properties were reviewed using information provided to HUD by Federal landholding agencies regarding unutilized and underutilized buildings and real property controlled by such agencies or by GSA regarding its inventory of excess or surplus Federal property. This Notice is also published in order to comply with the December 12, 1988 Court Order in *National Coalition for the Homeless v. Veterans Administration*, No. 88-2503-OG (D.D.C.).

Properties reviewed are listed in this Notice according to the following categories: Suitable/available, suitable/unavailable, suitable/to be excess, and unsuitable. The properties listed in the three suitable categories have been reviewed by the landholding agencies, and each agency has transmitted to HUD: (1) Its intention to make the property available for use to assist the homeless, (2) its intention to declare the property excess to the agency's needs, or (3) a statement of the reasons that the property cannot be declared excess or made available for use as facilities to assist the homeless.

Properties listed as suitable/available will be available exclusively for homeless use for a period of 60 days from the date of this Notice. Where property is described as for "off-site use only" recipients of the property will be required to relocate the building to their own site at their own expense. Homeless assistance providers interested in any such property should send a written expression of interest to HHS, addressed to Theresa Ritta, Division of Property Management, Program Support Center, HHS, Room 5B-17, 5600 Fishers Lane, Rockville, MD 20857; (301) 443-2265. (This is not a toll-free number.) HHS will mail to the interested provider an application packet, which will include instructions for completing the application. In order to maximize the opportunity to utilize a

Pet. Hailey Golden
D.O.B. 06/24/2005

DATE: 07/09/12
TIME: 01:21 PM Net Discount
Rate

PAIN AND SUFFERING CALCULATION 2.00%

Past	100,000
Future	150,000
TOTAL	250,000
NPV of Future	79,499
CASH AWARD	179,499

AGE	YEAR	Future Annual Amount	NPV	Years
7	2012	2,027	2,027	1
8	2013	2,027	1,987	2
9	2014	2,027	1,948	3
10	2015	2,027	1,910	4
11	2016	2,027	1,873	5
12	2017	2,027	1,836	6
13	2018	2,027	1,800	7
14	2019	2,027	1,765	8
15	2020	2,027	1,730	9
16	2021	2,027	1,696	10
17	2022	2,027	1,663	11
18	2023	2,027	1,630	12
19	2024	2,027	1,598	13
20	2025	2,027	1,567	14
21	2026	2,027	1,536	15
22	2027	2,027	1,506	16
23	2028	2,027	1,477	17
24	2029	2,027	1,448	18
25	2030	2,027	1,419	19
26	2031	2,027	1,391	20
27	2032	2,027	1,364	21
28	2033	2,027	1,337	22
29	2034	2,027	1,311	23
30	2035	2,027	1,285	24
31	2036	2,027	1,260	25
32	2037	2,027	1,236	26
33	2038	2,027	1,211	27
34	2039	2,027	1,188	28
35	2040	2,027	1,164	29
36	2041	2,027	1,141	30
37	2042	2,027	1,119	31
38	2043	2,027	1,097	32
39	2044	2,027	1,076	33
40	2045	2,027	1,055	34
41	2046	2,027	1,034	35
42	2047	2,027	1,014	36
43	2048	2,027	994	37
44	2049	2,027	974	38
45	2050	2,027	955	39
46	2051	2,027	936	40
47	2052	2,027	918	41
48	2053	2,027	900	42
49	2054	2,027	882	43
50	2055	2,027	865	44
51	2056	2,027	848	45

DATE: 07/09/12
 TIME: 01:21 PM Net Discount
 Rate
 PAIN AND SUFFERING CALCULATION 2.00%

		Past	100,000		
		Future	150,000		
		TOTAL	250,000		
		NPV of Future	79,499		
		CASH AWARD	179,499		
		Future			
AGE	YEAR	Annual Amount	NPV	Years	
52	2057	2,027	831	46	
53	2058	2,027	815	47	
54	2059	2,027	799	48	
55	2060	2,027	784	49	
56	2061	2,027	768	50	
57	2062	2,027	753	51	
58	2063	2,027	738	52	
59	2064	2,027	724	53	
60	2065	2,027	710	54	
61	2066	2,027	696	55	
62	2067	2,027	682	56	
63	2068	2,027	669	57	
64	2069	2,027	656	58	
65	2070	2,027	643	59	
66	2071	2,027	630	60	
67	2072	2,027	618	61	
68	2073	2,027	606	62	
69	2074	2,027	594	63	
70	2075	2,027	582	64	
71	2076	2,027	571	65	
72	2077	2,027	560	66	
73	2078	2,027	549	67	
74	2079	2,027	538	68	
75	2080	2,027	527	69	
76	2081	2,027	517	70	
77	2082	2,027	507	71	
78	2083	2,027	497	72	
79	2084	2,027	487	73	
80	2085	2,027	478	74	
		150,000	79,499		