

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 03-1974V

Filed: January 17, 2013

Not for publication

MINAH FOWLER, by her mother and *
next friend, HOPE FOWLER, *

Petitioner, *

Damages decision based on proffer

v. *

SECRETARY OF HEALTH *
AND HUMAN SERVICES, *

Respondent. *

Ronald C. Homer, Boston, MA, for petitioner.
Ryan D. Pyles, Washington, DC, for respondent.

MILLMAN, Special Master

DECISION AWARDING DAMAGES¹

On January 16, 2013, respondent filed a Proffer on Award of Compensation. Based on the record as a whole, the special master finds that petitioner is entitled to the award as stated in the Proffer. Pursuant to the terms stated in the attached Proffer, the court awards petitioner:

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 delete 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 delete such material from public access.

- a. a lump sum payment of **\$1,061,756.00**, representing compensation for lost future earnings (\$705,856.00), pain and suffering (\$205,000.00), and life care expenses for year one and a portion of years two through four (\$150,900.00), in the form of a check payable to petitioner as guardian/conservator of Minah Fowler, for the benefit of Minah Fowler;
- b. a lump sum payment of **\$26,491.09**, representing compensation for past unreimbursable expenses, payable to Hope Fowler, petitioner;
- c. a lump sum payment of **\$1,324.03**, representing compensation for satisfaction of the Commonwealth of Pennsylvania Medicaid lien, payable jointly to petitioner, as guardian of the Estate of Minah Fowler, and

Pennsylvania Department of Public Welfare
Re: CIS # 260162261 (Minah Fowler)
Bureau of Program Integrity
Division of Third Party Liability, Recovery Section
P.O. Box 8486
Harrisburg, PA 17105-8486; and

- d. an amount sufficient to purchase an annuity contract subject to the conditions described in section II. D. of the attached 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: January 17, 2013

/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.

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS
OFFICE OF SPECIAL MASTERS**

MINAH FOWLER, by her mother and next
friend, HOPE FOWLER,

Petitioner,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent

No. 03-1974V

Special Master Laura D. Millman
ECF

RESPONDENT'S PROFFER ON AWARD OF COMPENSATION

I. Items of Compensation

A. Life Care Items

The parties engaged life care planners to provide an estimation of Minah Fowler's future alleged vaccine-injury-related needs, and the parties' planners came to a joint consensus regarding appropriate items of care. All items of compensation identified by the parties' joint life care plan are supported by the evidence, and are illustrated by the chart entitled Summary of Life Care Items, attached hereto as Tab A. Respondent proffers that Minah Fowler should be awarded all items of compensation set forth in the life care plan as illustrated by the chart attached at Tab A. Petitioners agree.

B. Lost Future Earnings

The parties agree that based upon the evidence of record, Minah Fowler will never be gainfully employed. Therefore, respondent proffers that Minah Fowler should be awarded full lost future earnings as provided under the Vaccine Act, 42 U.S.C. § 300aa-15(a)(3)(B).

Respondent proffers that the appropriate award for Minah Fowler's lost future earnings is **\$705,856.00** at net present value. Petitioner agrees.

C. Pain and Suffering

Respondent proffers that Minah Fowler should be awarded **\$205,000.00** 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. *See* 42 U.S.C. § 300aa-15(a)(4). Petitioner agrees.

D. Past Unreimbursable Expenses

Evidence supplied by petitioner documents her and her husband's expenditure of past unreimbursable expenses related to Minah Fowler's vaccine-related injury. Respondent proffers that petitioner should be awarded past unreimbursable expenses in the amount of **\$26,491.09**. Petitioner agrees.

E. Medicaid Lien

Respondent proffers that Minah Fowler should be awarded funds to satisfy the Commonwealth of Pennsylvania Medicaid lien in the amount of **\$1,324.03**, which represents full satisfaction of any right of subrogation, assignment, claim, lien, or cause of action the Commonwealth of Pennsylvania may have against any individual as a result of any Medicaid payments the Commonwealth of Pennsylvania has made to or on behalf of Minah Fowler from the date of her eligibility for benefits through the date of judgment in this case as a result of her vaccine-related injury suffered on or about September 19, 2000, under Title XIX of the Social Security Act.

F. Attorneys' Fees and Costs

Petitioner was awarded interim attorneys' fees and costs by judgment entered on May 25, 2011. This proffer does not address final attorneys' fees and costs. Petitioner is entitled to reasonable final attorneys' fees and costs, to be determined at a later date upon petitioner filing substantiating documentation.

II. Form of the Award

The parties recommend that the compensation provided to Minah Fowler 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 **\$1,061,756.00** (representing compensation for lost future earnings (\$705,856.00), pain and suffering (\$205,000.00), and life care expenses for year one and a portion of years two through four (\$150,900.00))¹ in the form of a check payable to petitioner as guardian/conservator of Minah Fowler, for the benefit of Minah Fowler. No Payment shall be made until petitioner provides respondent with documentation establishing that she has been appointed as the guardian/conservator of Minah Fowler's estate;

B. A lump sum payment of **\$26,491.09**, representing compensation for past unreimbursable expenses, payable to Hope Fowler, petitioner;

C. A lump sum payment of **\$1,324.03**, representing compensation for satisfaction of the Commonwealth of Pennsylvania Medicaid lien, payable jointly to petitioner, as guardian of the Estate of Minah Fowler, and

Pennsylvania Department of Public Welfare
Re: CIS # 260162261 (Minah Fowler)

¹ The portion of \$150,900.00 attributable to either year one, two, three, or four is illustrated on the chart entitled, Annuity Funding Portfolio, attached hereto as Tab B.

Bureau of Program Integrity
Division of Third Party Liability, Recovery Section
P.O. Box 8486
Harrisburg, PA 17105-8486.

Petitioner agrees to endorse this payment to the Commonwealth; and

D. An amount sufficient to purchase an annuity contract,² subject to the conditions described below, that will provide payments for the life care items contained in the life care plan, as illustrated by the chart at Tab A attached hereto, paid to the life insurance company from which the annuity will be purchased.³ Compensation for Year Two (beginning on the first anniversary of the date of judgment) and all subsequent years shall be provided through respondent's purchase of an annuity, which annuity shall make payments to petitioner as guardian/conservator of the estate of Minah Fowler, only so long as Minah Fowler is alive at the time a particular payment is due. At the Secretary's sole discretion, the periodic payments may be provided to petitioner in monthly, quarterly, annual or other installments. Annual totals set forth in the far-right column of the chart at Tab A describe only the total yearly sum to be paid

² To satisfy the conditions set forth herein, in respondent's discretion, respondent may purchase one or more annuity contracts from one or more life insurance companies.

³ 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.

for the benefit of Minah Fowler and do not require that the payment be made in one annual installment.

1. Growth Rate

Respondent proffers that a four percent (4%) growth rate should be applied to all non-medical life care items, and a five percent (5%) growth rate should be applied to all medical life care items. Thus, the benefits illustrated in the chart at Tab A that are to be paid through annuity payments should grow as follows: four percent (4%) compounded annually from the date of judgment for non-medical items, and five percent (5%) compounded annually from the date of judgment for medical items.

2. Life-contingent annuity

Petitioner will continue to receive the annuity payments from the Life Insurance Company only so long as Minah Fowler is alive at the time that a particular payment is due. Written notice shall be provided to the Secretary of Health and Human Services and the Life Insurance Company within twenty (20) days of Minah Fowler's death.

3. Guardianship

No payments, excepting the amount payable to petitioner for past unreimbursable expenses, shall be made until petitioner provides respondent with documentation establishing that she has been appointed as the guardian/conservator of Minah Fowler's estate. If petitioner is not authorized by a court of competent jurisdiction to serve as guardian/conservator of the estate of Minah Fowler, any such payment shall be made to the party or parties appointed by a court of competent jurisdiction to serve as guardian/conservator of the estate of Minah Fowler upon submission of written documentation of such appointment to the Secretary.

III. Summary of Recommended Payments Following Judgment

A.	Lump Sum paid to petitioner as guardian/conservator of Minah Fowler's estate:	\$ 1,061,756.00
B.	Lump sum paid to petitioner:	\$ 26,491.09
C.	Reimbursement for Medicaid lien:	\$ 1,324.03
D.	An amount sufficient to purchase the annuity contract described above in section II. D.	
E.	Reasonable final attorneys' fees and litigation costs:	TBD

Respectfully submitted,

STUART F. DELERY
Principal Deputy Assistant Attorney General

RUPA BHATTACHARYYA
Director
Torts Branch, Civil Division

VINCENT J. MATANOSKI
Deputy Director
Torts Branch, Civil Division

CATHARINE E. REEVES
Assistant Director
Torts Branch, Civil Division

s/ RYAN D. PYLES
RYAN D. PYLES
Trial Attorney
Torts Branch, Civil Division
U.S. Department of Justice
P.O. Box 146
Benjamin Franklin Station
Washington, D.C. 20044-0146
Tel: (202) 616-9847

DATED: January 16, 2013

DATE: 01/16/13
TIME: 02:47 PM

SUMMARY OF LIFE CARE ITEMS - AGREED UPON LIFE CARE PLAN dated August 28, 2012

ITEM OF CARE	Insurance	Medical Care	Ancilliary Services	Medications	Supplies	Home Services	Transportation	Home Modifications	TOTALS of Items with a 5.0% Growth Rate	TOTALS of Items with a 4.0% Growth Rate	TOTALS OF 4.0% & 5.0% ITEMS & APPLYING THE GROWTH RATE	
GROWTH RATE	5.0%	5.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%				
AGE	YEAR											
13	2013	4,000.00	160.00	3,780.00	1,210.33	12,723.89	50,370.00	37,840.00	33,198.00	4,160	139,122	143,282
14	2014	4,000.00	160.00	3,780.00	1,210.33	1,428.85	50,370.00	0.00	0.00	4,160	56,789	63,429
15	2015	4,000.00	160.00	3,780.00	1,210.33	1,428.85	50,370.00	0.00	0.00	4,160	56,789	66,010
16	2016	4,000.00	160.00	1,620.00	1,210.33	4,123.85	50,370.00	0.00	0.00	4,160	57,324	69,298
17	2017	4,000.00	160.00	1,620.00	1,210.33	1,428.85	50,370.00	0.00	0.00	4,160	54,629	68,965
18	2018	4,000.00	160.00	1,620.00	1,210.33	1,428.85	50,370.00	0.00	0.00	4,160	54,629	71,774
19	2019	4,000.00	120.00	1,620.00	1,210.33	1,428.85	50,370.00	0.00	0.00	4,120	54,629	74,645
20	2020	4,000.00	120.00	1,620.00	1,210.33	1,428.85	50,370.00	0.00	0.00	4,120	54,629	77,686
21	2021	4,000.00	120.00	1,620.00	1,210.33	1,428.85	50,370.00	0.00	0.00	4,120	54,629	80,851
22	2022	4,000.00	120.00	0.00	1,210.33	370.54	164,250.00	0.00	0.00	4,120	165,831	242,421
23	2023	4,000.00	120.00	0.00	1,210.33	370.54	164,250.00	0.00	0.00	4,120	165,831	252,181
24	2024	4,000.00	120.00	0.00	1,210.33	370.54	164,250.00	0.00	0.00	4,120	165,831	262,336
25	2025	4,000.00	120.00	0.00	1,210.33	370.54	164,250.00	0.00	0.00	4,120	165,831	272,899
26	2026	4,000.00	120.00	0.00	1,210.33	370.54	164,250.00	0.00	0.00	4,120	165,831	283,889
27	2027	4,000.00	120.00	0.00	1,210.33	370.54	164,250.00	0.00	0.00	4,120	165,831	295,323
28	2028	4,000.00	120.00	0.00	1,210.33	370.54	164,250.00	0.00	0.00	4,120	165,831	307,217
29	2029	4,000.00	120.00	0.00	1,210.33	370.54	164,250.00	0.00	0.00	4,120	165,831	319,592
30	2030	4,000.00	120.00	0.00	1,210.33	370.54	164,250.00	0.00	0.00	4,120	165,831	332,465
31	2031	4,000.00	120.00	0.00	1,210.33	370.54	164,250.00	0.00	0.00	4,120	165,831	345,858
32	2032	4,000.00	120.00	0.00	1,210.33	370.54	164,250.00	0.00	0.00	4,120	165,831	359,792
33	2033	4,000.00	120.00	0.00	1,210.33	370.54	164,250.00	0.00	0.00	4,120	165,831	374,287
34	2034	4,000.00	120.00	0.00	1,210.33	370.54	164,250.00	0.00	0.00	4,120	165,831	389,368
35	2035	4,000.00	120.00	0.00	1,210.33	370.54	164,250.00	0.00	0.00	4,120	165,831	405,058
36	2036	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	417,825
37	2037	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	434,632
38	2038	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	452,116
39	2039	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	470,304
40	2040	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	489,225
41	2041	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	508,909
42	2042	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	529,385
43	2043	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	550,686
44	2044	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	572,846
45	2045	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	595,898
46	2046	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	619,880
47	2047	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	644,828

Pet. Minah Fowler
D.O.B. 07/20/2000

TAB A

DATE: 01/16/13
TIME: 02:47 PM

SUMMARY OF LIFE CARE ITEMS - AGREED UPON LIFE CARE PLAN dated August 28, 2012

ITEM OF CARE		Insurance	Medical Care	Ancillary Services	Medications	Supplies	Home Services	Transportation	Home Modifications	TOTALS of Items with a 5.0% Growth Rate	TOTALS of Items with a 4.0% Growth Rate	TOTALS OF 4.0% & 5.0% ITEMS & APPLYING THE GROWTH RATE
GROWTH RATE		5.0%	5.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%			
AGE	YEAR											
48	2048	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	670,782
49	2049	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	697,782
50	2050	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	725,871
51	2051	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	755,092
52	2052	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	785,491
53	2053	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	817,115
54	2054	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	850,015
55	2055	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	884,242
56	2056	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	919,849
57	2057	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	956,892
58	2058	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	995,430
59	2059	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	1,035,522
60	2060	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	1,077,231
61	2061	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	1,120,623
62	2062	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	1,165,766
63	2063	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	1,212,731
64	2064	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	1,261,591
65	2065	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	1,312,423
66	2066	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	1,365,307
67	2067	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	1,420,325
68	2068	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	1,477,564
69	2069	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	1,537,115
70	2070	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	1,599,069
71	2071	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	1,663,526
72	2072	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	1,730,585
73	2073	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	1,800,353
74	2074	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	1,872,938
75	2075	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	1,948,455
76	2076	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	2,027,024
77	2077	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	2,108,766
78	2078	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	2,193,811
79	2079	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	2,282,293
80	2080	3,058.80	0.00	0.00	1,210.33	250.54	164,250.00	0.00	0.00	3,059	165,711	2,374,350
		229,646	3,000	21,060	82,302	43,312	10,144,080	37,840	33,198	232,646	10,361,792	56,091,089
		2.17%	0.03%	0.20%	0.78%	0.41%	95.75%	0.36%	0.31%			100.00%

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

Fowler AGREED LC Plan dated 12 13 12 Rev5 01 14 13 Proffer

ANNUITY FUNDING PORTFOLIO

AGREED LIFE CARE PLAN dated August 28 2012

4.0 % and 5.0% GROWTH RATES

DATE: 01/16/13
 TIME: 03:23 PM

Pet. Minah Fowler
 D.O.B. 07/20/2000

	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
Item	TOTAL	ANNUAL	CASH &	ANNUITY	ANNUITY	ANNUITY	ANNUITY	ANNUITY	ANNUAL	CUMULATIVE
Starting Amount	MEDICAL	PAYMENTS	ANNUIITY	4,368	5,521	9,396	56,814	235,858	SAFETY	SAFETY
Inflation Factor	CARE NEEDS		LUMP	5.00%	5.00%	5.00%	4.00%	4.00%	MARGIN	MARGIN
Beginning Year	2013		SUMS	2014	2019	2036	2014	2022	2013	2013
Ending Year	2080			2018	2035	LIFE	2021	LIFE	2080	2080

AGE	YEAR	TOTAL NEEDS	ANNUAL TOTAL	Cash	Deferred Annuity	Safety Margin	Cum.Safety Margin				
13	2013	143,282	150,900	150,900						7,618	7,618
14	2014	63,429	61,182		4,368			56,814		-2,247	5,371
15	2015	66,010	63,673		4,586			59,087		-2,337	3,034
16	2016	69,298	66,266		4,816			61,450		-3,032	3
17	2017	68,965	68,965		5,057			63,908		0	2
18	2018	71,774	71,774		5,309			66,464		0	2
19	2019	74,645	74,644			5,521		69,123		-1	1
20	2020	77,686	77,685			5,797		71,888		-1	0
21	2021	80,851	80,850			6,087		74,763		-1	0
22	2022	242,421	245,382	3,133		6,391			235,858	2,962	2,962
23	2023	252,181	252,003			6,711			245,292	-178	2,783
24	2024	262,336	262,150			7,046			255,104	-185	2,598
25	2025	272,899	272,707			7,399			265,308	-193	2,406
26	2026	283,889	283,689			7,769			275,921	-200	2,205
27	2027	295,323	295,114			8,157			286,957	-208	1,997
28	2028	307,217	307,000			8,565			298,436	-217	1,780
29	2029	319,592	319,366			8,993			310,373	-225	1,555
30	2030	332,465	332,231			9,443			322,788	-234	1,320
31	2031	345,858	345,614			9,915			335,699	-244	1,077
32	2032	359,792	359,538			10,411			349,127	-254	823
33	2033	374,287	374,024			10,931			363,093	-264	559
34	2034	389,368	389,094			11,478			377,616	-274	285
35	2035	405,058	404,773			12,052			392,721	-285	0
36	2036	417,825	417,826				9,396		408,430	0	0
37	2037	434,632	434,633				9,866		424,767	0	1
38	2038	452,116	452,117				10,359		441,758	0	1
39	2039	470,304	470,305				10,877		459,428	0	2
40	2040	489,225	489,226				11,421		477,805	1	2
41	2041	508,909	508,909				11,992		496,917	1	3
42	2042	529,385	529,385				12,592		516,794	1	3
43	2043	550,686	550,687				13,221		537,466	1	4
44	2044	572,846	572,846				13,882		558,964	1	5
45	2045	595,898	595,899				14,576		581,323	1	5
46	2046	619,880	619,881				15,305		604,576	1	6

ANNUITY FUNDING PORTFOLIO

AGREED LIFE CARE PLAN dated August 28 2012

4.0 % and 5.0% GROWTH RATES

DATE: 01/16/13
TIME: 03:23 PM

Pet. Minah Fowler
D.O.B. 07/20/2000

	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10
Item	TOTAL	ANNUAL	CASH &	ANNUITY	ANNUITY	ANNUITY	ANNUITY	ANNUITY	ANNUAL	CUMULATIVE
Starting Amount	MEDICAL	PAYMENTS	ANNUITY	4,368	5,521	9,396	56,814	235,858	SAFETY	SAFETY
Inflation Factor	CARE NEEDS		LUMP	5.00%	5.00%	5.00%	4.00%	4.00%	MARGIN	MARGIN
Beginning Year	2013		SUMS	2014	2019	2036	2014	2022	2013	2013
Ending Year	2080			2018	2035	LIFE	2021	LIFE	2080	2080

AGE	YEAR	TOTAL NEEDS	ANNUAL TOTAL	Cash	Deferred Annuity	Deferred Annuity	Deferred Annuity	Deferred Annuity	Deferred Annuity	Safety Margin	Cum.Safety Margin
47	2047	644,828	644,829				16,070		628,759	1	7
48	2048	670,782	670,783				16,874		653,909	1	8
49	2049	697,782	697,783				17,718		680,066	1	8
50	2050	725,871	725,872				18,603		707,268	1	9
51	2051	755,092	755,093				19,534		735,559	1	10
52	2052	785,491	785,492				20,510		764,981	1	11
53	2053	817,115	817,116				21,536		795,580	1	12
54	2054	850,015	850,016				22,613		827,404	1	14
55	2055	884,242	884,243				23,743		860,500	1	15
56	2056	919,849	919,850				24,930		894,920	1	16
57	2057	956,892	956,894				26,177		930,717	1	17
58	2058	995,430	995,431				27,486		967,945	1	19
59	2059	1,035,522	1,035,523				28,860		1,006,663	2	20
60	2060	1,077,231	1,077,233				30,303		1,046,930	2	22
61	2061	1,120,623	1,120,625				31,818		1,088,807	2	24
62	2062	1,165,766	1,165,768				33,409		1,132,359	2	25
63	2063	1,212,731	1,212,733				35,080		1,177,653	2	27
64	2064	1,261,591	1,261,593				36,834		1,224,760	2	29
65	2065	1,312,423	1,312,425				38,675		1,273,750	2	31
66	2066	1,365,307	1,365,309				40,609		1,324,700	2	34
67	2067	1,420,325	1,420,327				42,639		1,377,688	2	36
68	2068	1,477,564	1,477,567				44,771		1,432,796	2	38
69	2069	1,537,115	1,537,117				47,010		1,490,107	3	41
70	2070	1,599,069	1,599,072				49,360		1,549,712	3	44
71	2071	1,663,526	1,663,529				51,828		1,611,700	3	47
72	2072	1,730,585	1,730,588				54,420		1,676,168	3	50
73	2073	1,800,353	1,800,356				57,141		1,743,215	3	53
74	2074	1,872,938	1,872,941				59,998		1,812,943	3	56
75	2075	1,948,455	1,948,459				62,998		1,885,461	4	60
76	2076	2,027,024	2,027,027				66,148		1,960,880	4	64
77	2077	2,108,766	2,108,770				69,455		2,039,315	4	68
78	2078	2,193,811	2,193,815				72,928		2,120,887	4	72
79	2079	2,282,293	2,282,297				76,574		2,205,723	4	77
80	2080	2,374,350	2,374,355				80,403		2,293,952	5	81
ITEMIZED TOTALS		56,091,089	56,091,170	154,033	24,136	142,665	1,500,543	523,497	53,746,297	81	81