



Research and Planning Consultants, LP

**A VOCATIONAL ASSESSMENT AND
LOSS OF EARNING CAPACITY REPORT FOR**

Jane Plaintiff

February 11, 2020

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Introduction

Research & Planning Consultants, L.P. (“RPC”) was asked by Joe Johnson, an attorney with Jones & Jones, LLP, to prepare a vocational assessment of Jane Plaintiff and to calculate any past or future loss of earnings or loss of earning capacity due to the event of January 10, 2017. RPC completed A Vocational Assessment and Loss of Earning Capacity Report for Jane Plaintiff (“RPC Report”) dated August 19, 2019. Additional information was received by RPC after completion of the report. Since our initial report, RPC was also asked to review the “Vocational Report prepared for Jane Plaintiff,” prepared by Jennifer Adams, Med, LPC, CRC, PA, dated January 12, 2020.¹ This updated report replaces the RPC report of August 19, 2019. This report is not meant to cover all economic and non-economic damages due to the injury to Ms. Plaintiff.

2. Ms. Plaintiff, a female born in 1968, was injured in a work-related event on January 10, 2017 (“the event”). A steel door reportedly fell from a second-story balcony and struck her on her head. She was awake when the EMS arrived but did not remember the event when asked.²

3. Ms. Plaintiff worked full time for Northern Cement Company in Anycity, Texas, as a cement truck driver at the time of the accident. She worked for Northern since 2012. Ms. Plaintiff returned to work part-time in August 2019, as a bus/kitchen helper at City BBQ in Anycity Texas.³ Ms. Plaintiff reported she applied for SSDI and was recently sent for a psychiatric evaluation by the Social Security Administration.⁴ RPC did not have the results of the evaluation or the decision by the Social Security Administration by the date of this report. We plan to supplement this report with this additional information.

4. This report was prepared by Vocational Consultant, MHS, CRC and Economist, PhD, assisted by other RPC consultants working under their direction and supervision. Their *Curricula vitae* are Attachment 1. RPC relied on the medical opinions of Ben Jerry, MD, (board

¹ Adams, Jennifer. Vocational Report prepared for Jane Plaintiff. January 12, 2020. ² County EMS. Ambulance records. January 10, 2017.

³ Contact Log. Jane Plaintiff.

⁴ Interview of Jane Plaintiff. May 8, 2019.

certified in physical medicine and rehabilitation physician),⁵ regarding Ms. Plaintiff's ability to work. RPC is paid for its services based on its hourly rates of \$325 for Economist and \$250 for Vocational Consultant. Hourly rates for other RPC staff range from \$100 to \$425. Vocational Consultant is responsible for the portions of this report from the heading "Vocational Assessment" to the heading "Economic Opinions." Economist is responsible for the portion of the report from the heading "Economic Opinions" onward. Payment for RPC's services is not contingent on the outcome of this litigation. Neither RPC nor its consultants have any financial interest in the outcome of this litigation.

5. Attachment 2 lists the documents RPC reviewed in preparing this report. The most recent medical records we received were for date of service October 3, 2018. We requested more recent medical records but received none by the date of this report. Attachment 3 is RPC's summary of the medical records. Attachment 4 is the set of earning capacity calculation figures. Attachment 5 is the definitions of the physical demand categories for jobs from the U.S. Department of Labor. Attachment 6 is the Transferrable Skills Analysis for Ms. Plaintiff, and Attachment 7 is the CareerScope Summary Report. All opinions are expressed with reasonable certainty and are subject to change in response to new information.

6. RPC has reviewed these reports and depositions about Ms. Plaintiff.
- Neuropsychological Evaluation prepared by Ted Williams dated June 29, 2017⁶
 - Records Review prepared by Justin Lopez, MD, dated July 17, 2017⁷
 - Functional Capacity Evaluation of Jane Plaintiff by Advance Physiotherapy, dated April 9, 2018⁸
 - Texas Worker's Compensation Work Status Report by Ben Jerry, MD, dated October 3, 2018⁹

⁵ Jerry, Ben., Texas Medical Board. http://reg.tmb.state.tx.us/OnLineVerif/Phys_ReportVerif_new.asp. Certification as self-reported. Accessed May 20, 2019.

⁶ Williams, Ted., Neuropsychological Evaluation. June 29, 2017.

⁷ Thompson, Sean . A review of records for Jane Plaintiff. July 17, 2017.

⁸ Advance Physiotherapy. Functional Capacity Evaluation. April 9, 2018.

⁹ Ben Jerry, MD. Texas Department of Insurance Medical Evaluation and work status report. October 3, 2018.

- Oral and Videotape Deposition of Jane Plaintiff dated March 4, 2019
- Vocational Report prepared for Jane Plaintiff, prepared by Jennifer Adams, Med, LPC, CRC, PA, dated January 12, 2020¹⁰

7. Vocational Consultant interviewed Ms. Plaintiff on May 8, 2019, at the RPC offices in Anycity, Texas. Ms. Plaintiff's daughter, Kelly, and granddaughter, Stephanie, were present for the interview. Kelly was able to supplement and prompt Ms. Plaintiff regarding her work history. Vocational Consultant spoke with Ms. Plaintiff via telephone on February 3, 2020, to get an update on her current work status.¹¹

8. Vocational Consultant reviewed Dr. Jerry's report stating his opinions on the effects of the incident on January 10, 2017, on Ms. Plaintiff's future ability to work.¹² RPC based this report in part on Dr. Jerry's medical opinions and recommendations. RPC asked but was not able to consult with Dr. Jerry regarding his recommendations.

VOCATIONAL ASSESSMENT

Earning Capacity Defined

9. Earning capacity is defined as the expected earnings of a worker who makes choices to maximize what they expect to earn.¹³ The process for calculating economic damages due to a loss of earning capacity involves first determining the individual's pre-injury annual earning capacity and then determining the individual's post-injury¹⁴ annual earning capacity. The economic damages are the difference in the pre-injury and post injury earning capacities, adjusted to their discounted present value.

10. For an adult who has completed her formal education, determining pre-injury earning capacity involves analyzing the individual's educational, employment, and earnings

¹⁰ Adams, Jennifer. Vocational Report prepared for Jane Plaintiff. January 12, 2020.

¹¹ Contact Log. Jane Plaintiff.

¹² Ben Jerry, MD. Texas Department of Insurance Medical Evaluation and work status report. October 3, 2018.

¹³ Horner, Stephen M. And Frank Slesnick. The Valuation of Earning Capacity: Definition, Measurement and Evidence. *Journal of Forensic Economics*, 12(1). 1999.

¹⁴ Post-injury earning capacity is occasionally referred to as residual earning capacity. These terms are synonymous.

history. The pre-injury earnings history may support a conclusion on earning capacity, but earning capacity is not limited by past earning history. In determining pre-injury earning capacity, one should also consider any pre-existing health conditions which may limit vocational options.

11. In determining post-injury earning capacity, one must consider the Return to Work Hierarchy. This hierarchy includes several options for a person returning to work, including:

- Return to the same job and the same employer
- Return to a different job with the same employer
- Return to the same job with a different employer
- Return to a different job with a different employer
- Formal training¹⁵

12. The first step in determining which option in the Return to Work Hierarchy applies to an individual is to establish the physical, mental, or cognitive restrictions or limitations resulting from the injury. It is outside a vocational evaluator's or economist's expertise to make this medical determination. If the limitations make it impossible for the individual to return to the pre-injury job, a vocational assessment is necessary to determine what jobs the individual can perform given the restrictions and limitations.

What is a Vocational Assessment?

13. A vocational assessment is a process to predict or estimate work behaviors and vocational potential through various tests, techniques, and procedures. According to Best Practices Principles, vocational evaluators should use multiple methods, tools and approaches to provide accurate vocational evaluations and assessments. A vocational assessment includes review of medical records, a clinical interview with the injured person, and review of detailed educational and employment records including academic transcripts, employment records, tax returns, and a Social Security Earnings Statement. Vocational assessments focus on the injured

¹⁵ Weed, R. & Field, T. (2001) *Rehabilitation Consultant's*, Revised Edition. Athens, GA: Elliot & Fitzpatrick, Inc. page 53.

person's interests, aptitudes, physical capabilities, and their established work history. Behavioral observations of the individual during the interview and evaluation are very important.

14. When appropriate, the vocational expert administers vocational tests to measure the individual's interests, abilities, and aptitudes. Tests designed to measure the worker's personality, academic ability, achievement levels, intelligence level, vocational aptitude, and vocational interests are widely used for diagnostic purposes with injured workers, and are invaluable in assessing an injured worker's employment potential. These tests show current capabilities and also show the individual's potential to increase earning capacity by completing additional training or formal education to learn new job skills within their medical limitations. Vocational Consultant administered the WRAT5 and Ms. Plaintiff completed the CareerScope vocational test battery.

15. Depending on a person's age and length of work history, the Vocational Diagnosis and Assessment of Residual Employability ("VDARE") process is often used to determine future earning capacity.¹⁶ This is also known as a transferrable skills analysis ("TSA"). Data from the individual's previous employment, education and current physical restrictions are used to complete the TSA and to determine what jobs the individual might perform. RPC used SkillTRAN software, an Internet-Based Service to assist with the TSA.¹⁷ In preparing the TSA, RPC also relied on the print and online versions of the *Dictionary of Occupational Titles*,¹⁸ *The Transitional Classification of Jobs*,¹⁹ and the *New Guide for Occupational Exploration*.²⁰

16. *The Dictionary of Occupational Titles* ("DOT") was developed in response to the need for standardized job descriptions to support job placement activities. The DOT also

¹⁶ Havranek, Joseph E., Timothy F. Field, and John W. Grimes. Vocational Assessment: Evaluating Employment Potential. Athens, GA: Elliott & Fitzpatrick, 2005.

¹⁷ SkillTRAN LLC. 1998-2019. www.skilltran.com.

¹⁸ Information Technology Associates, Source Available: <http://www.occupationalinfo.org/> Dictionary of Occupational Titles, originally published by the U. S. Department of Labor and Employment and Training Administration 1991, Volume II, Fourth Edition, Revised 1992.

¹⁹ Field, Janet E., and Timothy F. Field. *The Transitional Classification of Jobs: A Bridge between the Dictionary of Occupational Titles and the O*NET Database with Suggestions for Transferable Skills Analysis and Employability*. Athens, GA: Elliot & Fitzpatrick, 2004.)

²⁰ Farr, Michael J., and Laurence Shatkin. *New Guide for Occupational Exploration: Linking Interests, Learning, and Careers*. Indianapolis, IN: JIST Pub., 2006.

classifies occupations by physical demand category including sedentary, light, medium, heavy and very heavy. The first edition of the DOT was published in 1939. The second edition DOT, was issued in March 1949, the third edition DOT was issued in 1965, and the fourth edition was issued in 1977. Two supplements to the DOT have been released since the publication of the fourth edition in 1982 and in 1986. The 1986 supplement contained 840 occupational definitions; of these, 761 were not defined in the fourth edition. Changes in occupational content and job characteristics due to technological advancement continue to occur at a rapid pace and there are no DOT entries for some jobs.²¹

17. The vocational assessment is the basis for the vocational expert's opinions. These opinions may include when the individual can resume employment, what jobs the person can perform, whether the individual will benefit from additional training or education, the availability of specific jobs where the individual resides, and the median wage for those jobs.

18. The vocational expert develops opinions on the person's pre-injury and post-injury earning capacity. Based on the opinion of a vocational expert, an economist calculates the discounted present value of the pre-injury and post-injury earning capacities. The economist accounts for wage growth over time, for non-wage monetary benefits such as employer-paid health insurance or retirement accounts, and for taxes deducted from earnings. Finally, the economist applies a risk-free discount factor to calculate discounted present value. The economic damages are the difference between the present values of total pre-injury earning capacity and total post-injury earning capacity. Damages are divided into past damages (date of injury to date of trial) and future damages (date of trial to end of life).

Personal History

19. Ms. Plaintiff is a black female, age 51, residing in Anycity, Texas. Ms. Plaintiff's birth date is February 10, 1968. Ms. Plaintiff lives with her daughter, Kelly (age 20), and her granddaughter, Stephanie (age 2), in Anycity, Texas. Ms. Plaintiff graduated from Valley High School in Anytown, Texas in 1986 and earned a CDL license from USA College Truck Driving in 1991.

²¹ Information Technology Associates, Source Available: http://www.occupationalinfo.org/front_148.html

20. Prior to her injury Ms. Plaintiff enjoyed fishing, camping, barbequing, cooking, and traveling.²²

21. Prior to her injury, Ms. Plaintiff had diagnoses of hypertension and a past surgical history of back surgery. Ms. Plaintiff reported she has lower back surgery in 2001 following a work relate incident when she fell off of a truck. She reported after completing rehabilitation she was able to return to work as a driver. Ms. Plaintiff smokes and drinks alcohol occasionally.²³ Ms. Plaintiff received self-initiated substance abuse treatment in 2001 for depression and alcohol. She reported she attended for 4-6 weeks. Since rehab she has reduced her drinking to one to two drinks occasionally on the weekends.^{24,25}

22. The day of the injury, January 10, 2017, Ms. Plaintiff was five feet seven inches and weighed 170 pounds.²⁶ Her body mass index (BMI) is 26.6, which places her in the overweight category.²⁷ A healthy weight for a person of Ms. Plaintiff's height is between 122 and 149 pounds.²⁸

23. Based on the most recent life tables, the average person, between the ages of 51 to 52 of Ms. Plaintiff' gender and ethnicity, is expected to live an additional 30.7 years.²⁹ RPC assumes Ms. Plaintiff will live to the average life expectancy. We express no opinion on her life expectancy, but provide annual cost estimates if the trier of fact finds a different life expectancy.

²² Interview of Jane Plaintiff. May 8, 2019

²³ Interview of Jane Plaintiff. May 8, 2019.

²⁴ Williams, Ted., Neuropsychological Evaluation. June 29, 2017.

²⁵ Interview of Jane Plaintiff. May 8, 2019.

²⁶ City Hospital. Emergency room notes and clinician notifications. January 10, 2017-January 13, 2017.

²⁷ U.S. Department of Health and Human Services. Body Mass Index Table. https://www.nhlbi.nih.gov/health/educational/lose_wt/BMI/bmi_tbl.htm. Accessed May 23, 2019.

²⁸ Banner Health. Ideal Weight Chart. <https://www.bannerhealth.com/staying-well/health-and-wellness/fitness-nutrition/ideal-weight>. Accessed May 23, 2019.

²⁹ U.S. Department of Health and Human Services. Centers for Disease Control and Prevention. National Center for Health Statistics. National Vital Statistics System. United States Life Tables, 2015. Volume 67, Number 7. November 13, 2018.

Medical History of Injury

24. Please see Attachment 3 for a complete summary of the medical records RPC received. The most recent medical records RPC received were for date of service October 3, 2081. For this section we also rely on the personal interview, oral and written reports from treating and consulting clinicians, depositions, interviews of the injured party and family members, and other documents.

25. While working on a construction site, on January 10, 2017, Ms. Plaintiff reportedly suffered a blow to the head from a steel door that fell from a second story. Imaging at City Hospital revealed a fracture of the first vertebra in the cervical spine. Differential diagnoses included contusion, fracture, sprain, abrasions, head injury, neck injury, and spinal cord injury. Ms. Plaintiff did not require surgery for her cervical spine but remained in the hospital for observation until January 13, 2017, when she was discharged home with diagnoses of blunt trauma, C1 cervical fracture, cervical strain, and headache.³⁰

26. Ms. Plaintiff saw Ben Lewis, MD, (who specializes in family practice and occupational medicine),³¹ and Dustin Morgan, MD, (who specializes in neurological surgery),³² for neck pain and headaches. She continued wearing her cervical brace and had ongoing complaints of memory problems, neck pain, shoulder pain, back pain, and headaches. She received a diagnosis of postconcussion syndrome, was prescribed medications for headaches and pain,³³ and was referred for physical therapy. By March 7, 2017, imaging showed a near complete healing of the left C1 fractures.³⁴ Ms. Plaintiff began physical therapy on May 31, 2017.

³⁰ City Hospital. Emergency room notes and clinician notifications. January 10, 2017-January 13, 2017.

³¹ Lewis, Ben., MD. Texas Medical Board. http://reg.tmb.state.tx.us/OnLineVerif/Phys_ReportVerif_new.asp. Specialization as self-reported. Accessed May 20, 2019.

³² Morgan, Dustin, MD. Texas Medical Board. Texas Medical Board. http://reg.tmb.state.tx.us/OnLineVerif/Phys_ReportVerif_new.asp. Specialization as self-reported. Accessed May 15, 2019.

³³ Dustin Morgan, MD. Initial evaluation. February 22, 2017.

³⁴ Anytown diagnostics. CT cervical spine. March 7, 2017.

27. On June 29, 2017, Dr. Ted Williams, PhD, performed a neuropsychological evaluation on Ms. Plaintiff. Dr. Williams diagnosed a mild neurocognitive disorder, a specific learning disorder, an unspecified anxiety disorder, and an unspecified depressive disorder. He recommended psychiatric treatment for anxiety and depression, individual psychological counselling, a medical evaluation and treatment for sleep disorder, and encouraged her to abstain from alcohol.³⁵

28. On November 9, 2017, Ms. Plaintiff saw Jack Holmes, MD, (who is board certified in psychiatry/neurology and pain medicine),³⁶ for severe and daily post-traumatic headaches and constant post-traumatic migraine with aura. Dr. Holmes performed a left occipital nerve block on November 30, 2017,³⁷ and a right occipital nerve block on December 7, 2017,³⁸ which resulted in a 50 percent improvement in her headaches.³⁹ Ms. Plaintiff had further left occipital injections from Dr. Holmes, on February 28, 2018,⁴⁰ and May 9, 2018,⁴¹ and further right occipital injections on April 10, 2018,⁴² and May 16, 2018.⁴³ Ms. Plaintiff reported improvement on May 31, 2018, but she remained symptomatic. Dr. Holmes recommended she have bilateral occipital radiofrequency (RF) treatments.⁴⁴

29. Ms. Plaintiff attended nine vestibular rehabilitation sessions, an exercise-based program to improve balance and reduce problems with dizziness,⁴⁵ from June 4, 2018, through July 30, 2018 for dizziness, falling, and anxiety attacks. On July 30, 2018, Ms. Plaintiff stated her dizziness level was 5-6/10 and her headaches fluctuated with a rating of 3/10. She

³⁵ Williams, Ted., Neuropsychological Evaluation. June 29, 2017.

³⁶ Holmes, Jack, MD. Texas Medical Board. http://reg.tmb.state.tx.us/OnLineVerif/Phys_ReportVerif_new.asp. Certification as self-reported. Accessed May 15, 2019.

³⁷ Jack Holmes, MD. Left peripheral occipital nerve block. November 30, 2017.

³⁸ Jack Holmes, MD. Right peripheral occipital nerve block. December 7, 2017.

³⁹ Jack Holmes, MD. Office visit. January 9, 2018.

⁴⁰ Jack Holmes, MD. Left peripheral occipital nerve block. February 28, 2018.

⁴¹ Jack Holmes, MD. Left peripheral occipital nerve block. May 9, 2018.

⁴² Jack Holmes, MD. Right peripheral occipital nerve block. April 10, 2018.

⁴³ Jack Holmes, MD. Right peripheral occipital nerve block. May 16, 2018.

⁴⁴ Jack Holmes, MD. Office visit. May 31, 2018.

⁴⁵ Vestibular rehabilitation. American Speech-Language-Hearing Association. Available at <https://www.asha.org/Articles/Vestibular-Rehabilitation/>. Accessed June 6, 2019.

experienced blurring vision and stated she was unable to return to work or perform her normal activities of daily living⁴⁶

30. Dr. Lewis initially took Ms. Plaintiff off work through February 15, 2017,⁴⁷ and she remained off work until she received a release on October 3, 2018. Ben Jerry, MD, (who is board certified in physical medicine and rehabilitation),⁴⁸ a designated doctor for the Division of Workers' Compensation, determined Ms. Plaintiff had reached maximum medical improvement on October 3, 2018, and assigned permanent restrictions of not over four hours daily of kneeling/squatting, bending/stooping, or climbing stairs, and a limitation of not lifting over 20 pounds overhead. Otherwise, lifting was limited to 35 pounds.⁴⁹

31. Ms. Plaintiff had these imaging and diagnostic services related to her injury:

- January 10, 2017. CT head: no mass effect, edema, intracranial hemorrhage⁵⁰
- January 10, 2017. Chest X-ray: chronic appearing fracture deformities of the left clavicle and multiple posterior left ribs, five through eight⁵¹
- January 10, 2017. Cervical spine x-ray: fracture of C1 not well-seen, stable alignment of the cervical spine with neck brace in place⁵²
- January 10, 2017. CT cervical spine: fracture through the left lateral mass of C1⁵³
- January 10, 2017. MRI cervical spine: left C1 lateral mass fracture, marrow edema associated with C1 fracture, mild edema left C4 and C5 facet joint likely degenerative⁵⁴
- January 10, 2017. MRA neck: mild irregularity of the V3 segment of the left vertebral artery, indeterminate by MR angiography, suggest CT angiogram for further evaluation⁵⁵

⁴⁶ USA Balance. Vestibular rehabilitation. June 18, 2017-July 30, 2018.

⁴⁷ Lewis, Ben, MD. Work Status Report. February 8, 2017.

⁴⁸ Jerry, Ben., Texas Medical Board. http://reg.tmb.state.tx.us/OnLineVerif/Phys_ReportVerif_new.asp. Certification as self-reported. Accessed May 20, 2019.

⁴⁹ Ben Jerry, MD. Texas Department of Insurance Medical Evaluation and work status report. October 3, 2018. ⁵⁰ City Hospital. CT head. January 10, 2017.

⁵¹ City Hospital. Chest x-ray, CT cervical spine results. January 10, 2017.

⁵² City Hospital. Cervical x-ray. January 10, 2017.

⁵³ City Hospital. Chest x-ray, CT cervical spine results. January 10, 2017.

⁵⁴ City Hospital. MRI cervical spine. January 10, 2017.

⁵⁵ City Hospital. MRA neck. January 10, 2017.

- January 11, 2017. CT Angiography neck: at the level of the C1 fracture, there is mild narrowing of the left vertebral artery suggestive of a grade 1 injury⁵⁶
- March 7, 2017. CT cervical spine with reconstruction: interval improvement with near complete healing of the left C1 articular mass fracture, only very subtle residual irregularity along the inferior articular surface⁵⁷
- August 11, 2017. MRI brain: no acute intracranial process or sequela of prior injury, previous C1 lateral mass fracture not evaluated on this MRI⁵⁸
- August 23, 2017. CT cervical spine: multilevel cervical degenerative disc disease, spondylosis, osteophyte-disc bulge complexes and degenerative facet arthrosis, no interval change since March 7, 2017; mild left C5-C6 and moderated C6-C7 foraminal stenosis, no radiographic evidence of instability⁵⁹
- March 6, 2018. Videonystagmography (VNG) report: Normal⁶⁰

32. Ms. Plaintiff had these procedures and rehabilitation services related to her injury:

- November 30, 2017. Left peripheral occipital nerve block⁶¹
- December 7, 2017. Right peripheral occipital nerve block⁶²
- February 28, 2018. Left peripheral occipital nerve block⁶³
- April 10, 2018. Right peripheral occipital nerve block⁶⁴
- May 9, 2018. Left peripheral occipital nerve block⁶⁵
- May 16, 2018. Right peripheral occipital nerve block⁶⁶

33. Ms. Plaintiff's most recent work restrictions were:

- February 8, 2017. No work⁶⁷

⁵⁶ City Hospital. CT Angiography neck. January 11, 2017.

⁵⁷ Anytown diagnostics. CT cervical spine. March 7, 2017.

⁵⁸ Pain Care Center. MRI brain. August 11, 2017.

⁵⁹ Anytown Diagnostics Imaging. CT cervical spine. August 23, 2017.

⁶⁰ ENT Center. Videonystagmography (VNG) report. March 6, 2018. ⁶¹ Jack Holmes, MD. Left peripheral occipital nerve block. November 30, 2017.

⁶² Jack Holmes, MD. Right peripheral occipital nerve block. December 7, 2017.

⁶³ Jack Holmes, MD. Left peripheral occipital nerve block. February 28, 2018.

⁶⁴ Jack Holmes, MD. Right peripheral occipital nerve block. April 10, 2018.

⁶⁵ Jack Holmes, MD. Left peripheral occipital nerve block. May 9, 2018.

⁶⁶ Right peripheral occipital nerve block. May 16, 2018.

⁶⁷ Ben Lewis, MD. Work Status Report. February 8, 2017.

- March 16, 2017. No work through April 26, 2017⁶⁸
- July 26, 2017. No work through September 13, 2017⁶⁹
- April 9, 2018. Functional capacity evaluation. Medium DOT category with light DOT for waist to overhead lifting and heavy DOT for pushing⁷⁰
- October 3, 2018. Maximum medical improvement reached on October 3, 2018, with a permanent impairment rating of five percent. Return to work October 3, 2018 with permanent restrictions of not over four hours daily of kneeling/squatting, bending/stooping, or climbing stairs, and a limitation of not lifting over 20 pounds overhead. Otherwise, lifting was limited to 35 pounds.⁷¹

Current Condition

34. Ms. Plaintiff is not currently receiving any treatment. Dr. Jerry opined she reached maximum medical improvement on October 3, 2018.

35. When interviewed on May 8, 2019, Ms. Plaintiff reported having daily pain. She reported the pain increases as the day goes on. She also reported having pain for an entire day following any activities such as cooking. Ms. Plaintiff stated all domestic activities such as cooking, cleaning or laundry take significantly more time than before the injury. Ms. Plaintiff also reported having anxiety every day because she cannot do the activities, she could before the accident.

36. Ms. Plaintiff reported having blurry vision and sensitivity to light and the cold. She reported having progressive glasses to help her see indoors and outdoors. She also reported having difficulty driving due to her light sensitivity. She reported she sometimes needs her daughter to drive her to places.

37. Ms. Plaintiff reported difficulty with feeling and grip strength in her right hand. She stated she loses feeling after lifting anything for more than a few minutes.

⁶⁸ Ben Lewis, MD. Work Status Report. March 16, 2017.

⁶⁹ North Health, Inc., Summary of visit with Dr. Harrison. July 26, 2017.

⁷⁰ Advance Physiotherapy. Functional Capacity Evaluation. April 9, 2018.

⁷¹ Ben Jerry, MD. Texas Department of Insurance Medical Evaluation and work status report. October 3, 2018.

38. Ms. Plaintiff reports taking over the counter Advil PM for pain daily.⁷²

Vocational Analysis

Pre-injury Earning Capacity for Ms. Plaintiff

Educational History

39. Ms. Plaintiff reported she graduated from Valley High School in Anytown, Texas in 1986. Ms. Plaintiff received special education services for dyslexia and for being “a slow learner.”⁷³ Ms. Plaintiff obtained her commercial driver’s license (CDL) from USA College Truck Driving in 1991.⁷⁴

Employment and Earnings History

40. At the time of injury Ms. Plaintiff was working for Northern Cement Company (“Northern”) in Anycity, Texas as a cement driver. She worked there since 2012. Ms. Plaintiff reported she first earned base pay of \$12.50 per hour and was earning \$16.48 per hour at the time of injury. Ms. Plaintiff stated her job duties included inspecting the truck, load and unload the cement, put on and take off the cement shoot, climb a ladder and driving the truck. She stated her work hours varied based on the job. Some days she could work 2-4 hours and others 10-12 hours per day. She stated the jobs varied in demand. According to the DOT, her job as a cement truck driver is classified within the medium physical demand category.⁷⁵ See Attachment 5 for a description of physical demand levels.

41. Ms. Plaintiff reported the workers’ compensation adjustor told her over the phone sometime in October 2018 that because she could not do her job one and a half years after the accident that her workers compensation pay was stopped and that she no longer had a position to come back to. She reported Northern did not offer her another limited duty position.⁷⁶

⁷² Interview of Jane Plaintiff. May 8, 2019.

⁷³ Williams, Ted., Neuropsychological Evaluation. June 29, 2017.

⁷⁴ Interview of Jane Plaintiff. May 8, 2019.

⁷⁵ Information Technology Associates. <https://occupationalinfo.org/90/900683010.html>. Accessed May 24, 2019. ⁷⁶ Deposition of Jane Plaintiff. March 4, 2019. Pages 50-51.

42. Ms. Plaintiff reported she had difficulty remembering details relating to her prior work history.⁷⁷ Prior to working at Northern Ms. Plaintiff reported working as a dump truck driver at Slate Trucking for six to eight months in Anycity, Texas. She reported she left this job when the company went out of business. She also worked for ABC Cement as a cement driver in Anycity, Texas, for six months earning \$14.00 per hour. She also left this job when the company went out of business. According to the DOT, her job as a dump truck driver is classified within the medium physical demand category.⁷⁸

43. Ms. Plaintiff reported she had many small jobs she worked between her driving jobs. She stated when she tired of driving, she would take a temporary job. She stated these jobs included working part time as a cashier for six months in Riverdale, Georgia, earning \$7.25 per hour; as a maid with Morning Maids in Anycity, Texas, cleaning offices, and homes earning \$13.00 per hour; and with a warehouse temp agency called Labor Ready for one to two months packing orders, and scanning chips. She also reported working in child care off and on for four to five years. According to the DOT, her jobs as a cashier, maid, warehouse laborer, and childcare worker are classified within the light to medium physical demand categories.^{79,80,81,82}

44. According to her Social Security Earning records, Ms. Plaintiff earned:⁸³

⁷⁷ Interview of Jane Plaintiff. May 8, 2019.

⁷⁸ Information Technology Associates. <https://occupationalinfo.org/90/902683010.html>. Accessed May 24, 2019.

⁷⁹ Information Technology Associates. <https://occupationalinfo.org/21/211462014.html>. Accessed May 24, 2019.

⁸⁰ Information Technology Associates. <https://occupationalinfo.org/32/323687014.html.html>. Accessed May 24, 2019.

⁸¹ Information Technology Associates. <https://occupationalinfo.org/92/922687058.html>. Accessed May 24, 2019.

⁸² Information Technology Associates. <https://occupationalinfo.org/35/355674010.html>. Accessed May 24, 2019.

⁸³ Williams, Social Security Earnings Statement. Dated May 9, 2019.

Year	Annual Wages	2020 Dollars
2012	\$38,376	\$42,710
2013	\$44,415	\$48,701
2014	\$40,693	\$43,917
2015	\$32,772	\$35,333
2016	\$30,200	\$32,143
Average Earnings	\$37,291	\$40,561

45. Ms. Plaintiff reported that her wages varied from 2014 to 2016 due to an on-the-job tailbone injury and sprained elbow, as well as dealing with the death of her father and uncle during this time.

46. Ms. Plaintiff earned an average of \$40,561 in 2020 dollars between 2012 to 2016, the last five full years worked at Northern. These earnings represent Ms. Plaintiff's pre-injury earning capacity as a cement truck driver.

Post-injury Earning Capacity for Ms. Plaintiff

Post-Injury Employment

47. Ms. Plaintiff stated in her deposition on March 4, 2019, she had applied for temporary security work and warehouse work but has not been called for an interview at that time. She also reported that she has been searching for work and applied to home health agencies and as a stop sign or construction sign holder since being released by Dr. Jerry in October 2018.

48. In August 2019, Ms. Plaintiff returned to work part-time as a bus/kitchen helper at City BBQ in Anycity Texas. She stated it was the first job offered to her since the event. Her job duties include making tortillas, cleaning tables, emptying trash, bringing ice to the front, making afternoon salad and maintaining the salad bar. She reported she works on average 25-30

hours every two weeks and earns \$11.50 per hour. According to the DOT, this job is classified within the light physical demand category.⁸⁴

49. She reported she frequently needs to take days off due to illness, appointments, and family emergencies. Ms. Plaintiff reported she has a note from her chiropractor to her employer that allows her to take breaks as needed. She reported having shoulder, neck pain and headaches while working.⁸⁵ According to check stubs from employment at City BBQ between August 11, 2019 to January 26, 2020, Ms. Plaintiff has worked an average of 23.55 hours per week, earning an average of \$270.83 per week or \$14,084 per year in 2020 dollars.⁸⁶

50. Ms. Plaintiff has attempted to return to work by taking the first job offered to her, but has not yet maximized her full earning capacity, as she is capable of working full-time but is not yet doing so.

Vocational Testing

51. Vocational Consultant administered vocational tests to Ms. Plaintiff on May 8, 2019 after the clinical interview. Ms. Plaintiff appeared to put forth her best effort. Ms. Plaintiff did not have her glasses. She stated she had a headache due to the lights in the office. She was observed to take a few breaks throughout the clinical interview and testing to stretch. Following are her results:

The Wide Range Achievement Test (WRAT-5)

52. This test measures the individual’s academic achievements. Ms. Plaintiff’s scores show she is functionally literate. Ms. Plaintiff scores are:

Subset/Composite	Standard Score	Percentile Rank	Grade Equivalent	Descriptive Category
Word Reading	79	8 th	6.1	Very Low
Spelling	81	10 th	6.0	Low Average
Math Computation	82	12 th	4.6	Low Average

⁸⁴ Information Technology Associates <https://occupationalinfo.org/31/311472010.html>. Accessed February 10, 2020.

⁸⁵ Contact Log. Jane Plaintiff.

⁸⁶ Plaintiff, Jane. City BBQ Pay Check Stubs. August 25, 2019 to January

Sentence Comprehension	91	27 th	10	Average
Reading Composite	83	13 th	N/A	Low Average

CareerScope

53. Vocational Consultant administered the CareerScope online. CareerScope is a timed, self-administered computerized assessment. CareerScope measures and identifies an individual’s aptitudes and interests. See Attachment 7 for the complete Summary Report.

54. Ms. Plaintiff’ scores on the aptitude test are:

Aptitude	Score	%tile	Average Range
General Learning	70	7	
Verbal Aptitude	84	21	
Numerical Aptitude	65	4	
Spatial Aptitude	80	16	
Form Perception	117	80	
Clerical Perception	113	74	
Motor Coordination	63	3	
Finger Dexterity	63	3	
Manual Dexterity	60	2	

55. Ms. Plaintiff’ aptitude results from CareerScope were:

Verbal Aptitude: Individuals who score high in this category have the ability to understand the meaning of words and to use them effectively; ability to comprehend language, to understand relationships between words, and to understand the meanings of whole sentences and paragraphs. Examples of job tasks that require these aptitudes might include Understand oral or written instructions or guidelines; understand and use training materials; use work-related reference materials.

Form Perception: Individuals who score high in this category have the ability to perceive detail in objects or in pictorial or graphic material; ability to make visual comparisons and discriminations and see slight differences in shapes and shadings of figures and widths and lengths of lines. Examples of job tasks that require these aptitudes might include inspecting objects for flaws or scratches; determining whether patterns are the same; and observing color, texture, and size of objects.

Clerical Perception: Individuals who score high in this category have the ability to perceive pertinent detail in verbal or tabular material; ability to observe differences in

copy, to proofread words and numbers, and to avoid perceptual errors in arithmetic computation. Examples of job tasks that require these aptitudes might include checking work orders and specifications for errors.

56. Ms. Plaintiff’s scores on the interest tests were:

Interest Area	% Like
01 Artistic	0
02 Scientific	15
03 Plants/Animals	9
04 Protective	17
05 Mechanical	8
06 Industrial	8
07 Business Detail	8
08 Selling	0
09 Accommodating	0
10 Humanitarian	9
11 Leading/Influencing	7
12 Physical Performing	20

57. According to Ms. Plaintiff’s interest results from the CareerScope, she scored above average in these interest areas:

Scientific: Individuals who score high in this category show an interest in discovering, collecting, and analyzing information about the natural world and applying scientific research findings to problems in medicine, the life sciences, and the natural sciences. Examples of these types of occupations might include physician, audiologist, veterinarian, biologist, chemist, speech pathologist, and laboratory technician.

Plants/Animals: Individuals who score high in this category show an interest in activities involving plants and animals, usually in an outdoor setting. Examples of these types of occupations might include gardener, animal groomer, landscaper, forester, and animal caretaker.

Protective: Individuals who score high in this category show an interest in using authority to protect people and property. Examples of these types of occupations might include police officer, private investigator, security guard, body guard, park ranger, and correctional officer.

Humanitarian: Individuals who score high in this category show an interest in helping individuals with their mental, social, spiritual, physical, and vocational concerns through medical or social services, therapy, or nursing. Examples of these types of occupations

might include home care aide, physical therapist, nurse, medical assistant, child care worker, dental hygienist, counselor, and probation officer.

Physical Performing: Individuals who score high in this category show an interest in physical activities performed before an audience, such as sports or daring physical feats. Examples of these types of occupations might include athlete, coach, movie stunt performer, juggler, and sports instructor.

Transferable Skills Analysis

58. Dr. Jerry assigned Ms. Plaintiff permanent restrictions of not over four hours daily of kneeling/squatting, bending/stooping, or climbing stairs, and a limitation of not lifting over 20 pounds overhead. Otherwise, lifting was limited to 35 pounds.⁸⁷ These restrictions fall within the light to modified medium physical demand category.

59. Because of her injuries, Ms. Plaintiff cannot return to her pre-injury job even with reasonable accommodations. Ms. Plaintiff's job as a cement driver requires her to frequently lift cement shuts, climb ladders, and clean out the cement bed after each delivery. Therefore, data on Ms. Plaintiff's previous employment, education, vocational test results, and current physical restrictions were used in a Transferable Skills Analysis (TSA) to determine what jobs she might be capable of performing. See Attachment 6 for further details regarding the TSA.

60. RPC used SkillTRAN Online Services, an Internet-Based Service to prepare the TSA, and relied on the print and online versions of the Dictionary of Occupational Titles, The Transitional Classification of Jobs, and the New Guide for Occupational Exploration.

61. TSA's are most commonly used with workers who have completed their education and have been in the workforce long enough to have a demonstrated work history. Using this past work history, the individual's demonstrated abilities, aptitude and interests are all analyzed to find transferrable jobs using the highest level of abilities from their demonstrated work history.

62. SkillTRAN compares thousands of occupations to the profile of an individual. The program found one directly transferable job and sixteen generally transferable jobs she could

⁸⁷ Ben Jerry, MD. Texas Department of Insurance Medical Evaluation and work status report. October 3, 2018.

perform. Directly Transferable Occupations are those which share at least one of the 3-digit work fields as known from the past work history and which have at least one of the same 3-digit MPSMS codes as his previous jobs. Directly transferable occupations have primary job duties very similar to past work and little or no learning of job duties would be anticipated in a new occupation. Generally Transferable Occupations are those which share at least one of the 2-digit work fields from the past work history and which involve at least one of the 2-digit MPSMS codes from the past. Two-digit coding clusters occupations into generally related groups which may not use the same specific skills the person used in past jobs. Generally transferable occupations do not include directly or closely transferable titles. Some learning of essential job duties is likely to be necessary.⁸⁸

63. Several of the directly and generally transferable jobs are not available in her labor market or any labor market, such as impersonator, parlor chaperone, sandwich board carrier, and research subject. Several of the directly and generally transferable jobs require office or clerical skills. Ms. Plaintiff' aptitude and intelligence test results show she cannot perform these jobs even with additional training. According to Dr. Williams, Ms. Plaintiff had a premonitory history of dyslexia and learning difficulties and the injury did not affect her learning ability.

64. With Dr. Jerry' restrictions, Ms. Plaintiff can return to some past jobs and to alternate jobs. According to the Return to Work Hierarchy, Ms. Plaintiff can return to a different job with a different employer.

Review of Adams Report

65. RPC reviewed the "Vocational Report prepared for Jane Plaintiff," prepared by Jennifer Adams, Med, LPC, CRC, PA, dated January 12, 2020. Ms. Adams opined Ms. Plaintiff is employable and can return to work as a dispatcher, parking enforcement worker, information clerk, light driver, and auto parts sales person. She opined the wages for these jobs in the Anycity areas range from \$17.16 an hour (\$35,700 annually) to \$19.90 per hour (\$41,390 annually). She also opined since Ms. Plaintiff was placed at the medium level of physical

⁸⁸ SkillTRAN Transferable Skills Analysis Report for Jane Plaintiff. June 5, 2019.

demand by the FCE on April 9, 2019, she can return to work as a truck driver which would result in no loss of future earning capacity.

66. While Ms. Adams is correct Ms. Plaintiff was given a lifting restriction consistent with the medium level of physical demand by the FCE on April 9, 2018, Dr. Jerry assigned Ms. Plaintiff permanent restrictions of not over four hours daily of kneeling/squatting, bending/stooping, or climbing stairs, and a limitation of not lifting over 20 pounds overhead. Otherwise, lifting was limited to 35 pounds.⁸⁹ These restrictions fall within the light to modified medium physical demand category. Ms. Plaintiff's job as a cement driver requires her to frequently lift cement shuts, climb ladders, and clean out the cement bed after each delivery. Labor market research identified three jobs as a cement truck driver in the Anycity area that required exerting up to 50 pounds force frequently.⁹⁰ Ms. Plaintiff is limited to lifting no more than 35 pounds. Because of her injuries, Ms. Plaintiff cannot return to her pre-injury job even with reasonable accommodations.

67. Ms. Adams opined Ms. Plaintiff is employable and can return to work as a dispatcher, parking enforcement worker, information clerk, light driver, and auto parts sales person. Ms. Adams has no basis for these recommendations. She did not conduct a transferrable skills analysis, vocational testing, or labor market research to identify if these jobs are available in Ms. Plaintiff's geographical area.

68. Based on Ms. Plaintiff's work history she has worked in the light to medium, unskilled occupations requiring a low to average general educational development.⁹¹ The jobs Ms. Adams identified require a higher skill level (semi-skilled to skilled) and higher general educational development than Ms. Plaintiff has demonstrated in her past work history.⁹² Based on Ms. Plaintiff's school history of dyslexia and special education classes, and her vocational testing she demonstrated a below average general learning ability. Ms. Plaintiff does not have the cognitive ability or transferrable skills to perform in these occupations.

⁸⁹ Ben Jerry, MD. Texas Department of Insurance Medical Evaluation and work status report. October 3, 2018. ⁹⁰ Labor Market Research. Accessed February 4, 2020.

⁹¹ SkillTRAN Transferable Skills Analysis Report for Jane Plaintiff. June 5, 2019.

⁹² Job specifications on alternate jobs by Adams.

Vocational Conclusion

69. Ms. Plaintiff was injured in a work-related accident on January 10, 2017. Dr. Jerry opined Ms. Plaintiff could return to work on October 3, 2018, with permanent restrictions of not over four hours daily of kneeling/squatting, bending/stooping, or climbing stairs, and a limitation of not lifting over 20 pounds overhead. Otherwise, lifting was limited to 35 pounds. He assessed a 5% permanent impairment from her injuries and indicated “other restrictions” based on the functional capacity evaluation performed April 9, 2018.⁹³

70. Dr. Jerry released Ms. Plaintiff to return to work with restrictions on October 3, 2018. According to the Bureau of Labor Statistics the median number of weeks a person is unemployed is 9.4 weeks.⁹⁴ Therefore, it is reasonable to assume that Ms. Plaintiff could have returned to work December 10, 2018.

71. According to Ms. Plaintiff, she has searched for work since she released by Dr. Jerry. In August 2019, Ms. Plaintiff returned to work part-time as a bus/kitchen helper at City BBQ. Ms. Plaintiff has attempted to return to work by taking the first job offered to her, but has not yet maximized her full earning capacity. In RPC’s opinion, she is not yet maximizing her post-injury earnings because she is working less than full-time.

72. With Dr. Jerry’ restrictions, Ms. Plaintiff can return to some past jobs and to alternate jobs. According to the Return to Work Hierarchy Ms. Plaintiff can return to a different job with a different employer. Previous and alternate jobs appropriate for Ms. Plaintiff are:

SOC Code	SOC Title	Physical Strength Demand	Median Annual Wages
51-9198	Assembler/Production Worker Helper	Sedentary	\$26,160

⁹³ Ben Jerry, MD. Texas Department of Insurance Medical Evaluation and work status report. October 3, 2018. ⁹⁴ Labor Force Statistics. Bureau of Labor Statistics. <https://www.bls.gov/web/empisit/cpseea12.htm>. Accessed June 3, 2019.

43-5021	Courier	Light	\$24,920
41-2011	Cashier	Light	\$22,650
41-2031	Retail Salesperson	Light	\$23,240
33-9032	Unarmed Security Guard/Gate Guard	Light	\$29,650
Average			\$25,324

73. The average wage for these jobs is \$25,324, or \$25,780 per year in 2020 dollars. This was Ms. Plaintiff' post injury earning capacity on December 10, 2018.

74. Ms. Plaintiff' past lost wages would be equal to those wages from January 10, 2017 through December 09, 2018 at her pre-injury earning rate. As of December 10, 2018, her loss of future wages would be \$14,781 annually; the difference between her pre-injury wages of \$40,561 minus her post-injury earning capacity of \$25,780. Please see the Economic Opinion section of this report for the calculation of the discounted present value of her loss of earning capacity.

ECONOMIC OPINION

Calculation of Economic Damages

Base Wages

75. Figure 4-1 converts Ms. Plaintiff' earnings to 2020 dollars. Ms. Plaintiff' pre-injury earning capacity was her average earnings from 2012 to 2016. As shown in Figure 4-1, her earnings in these years averaged \$40,561.

Wage Growth

76. Wages grow over time, but not all wages grow at the same rate. Figure 4-2a calculates the historical real (i.e. relative to overall inflation) growth rate of wages for women who are driver/sales workers and truck drivers. Over the past decade, these wages have grown 1.24% slower than overall inflation. When historical real wage growth is negative, RPC assumes 0% real wage growth.

Benefits

77. Figure 4-3a calculates the average benefits (insurance + retirement) as a percentage of paid compensation (wages + paid leave + supplemental pay) for transportation and material moving occupations. RPC assumes Ms. Plaintiff could have received benefits equal to 21.3% of her paid compensation in the pre-injury scenario.

Taxes

78. Ms. Plaintiff' earnings are subject to Social Security, Medicare, and federal income taxes. Together, Social Security and Medicare taxes are 7.65% of employee earnings.⁹⁵ Figure 4-4a calculates Ms. Plaintiff' pre-injury federal income tax liability based on her projected income with a filing status of single and assuming standard deductions. RPC reduced Ms. Plaintiff' pre-injury earnings by 7.65% and by the amounts in Figure 4-4a.

Work Life Expectancy

79. Future earnings must be discounted to reflect the possibilities that an individual might die, become disabled, or be unemployed. Figures 4-5 through 4-7 calculate the annual probabilities Ms. Plaintiff will be alive, able to work, and employed based on her age, gender, ethnicity, and educational attainment. The probabilities are based on statistics collected and maintained by the federal Centers for Disease Control and Prevention,⁹⁶ Census Bureau,⁹⁷ and

⁹⁵ Tax Topics – Topic 751 Social Security and Medicare Withholding Rates. Available from www.irs.gov

⁹⁶ U.S. Department of Health and Human Services. Centers for Disease Control and Prevention.

Bureau of Labor Statistics.⁹⁸ RPC reduced Ms. Plaintiff' pre-injury earnings by the probabilities in Figures 4-5 through 4-7. RPC assumed Ms. Plaintiff will permanently leave the labor force at age 67 when she is eligible for full Social Security retirement benefits.

Social Security Benefits

80. Ms. Plaintiff can receive Social Security benefits upon reaching a minimum retirement age. Under current laws, Ms. Plaintiff will be eligible to receive full benefits at age 67. Ms. Plaintiff' benefits will depend on her lifetime earnings in the US. Figure 4-8a calculates Ms. Plaintiff' expected Social Security benefits for the pre-injury scenario based on data from her Social Security Earnings Statement and the Social Security Administration's detailed calculator.⁹⁹

Discounting to Present-Value

81. Future earnings must be discounted to present value. Present value is defined as the value today of a sum of money to be received at a known future date. Present value considers the time value of money – one dollar received today is usually worth more than one dollar received in the future. Present value is calculated by applying a risk-free discount rate to the stream of future payments.

82. To estimate the real risk-free interest rate, RPC uses the average interest rate yield on three-month Treasury bills.¹⁰⁰ From this nominal interest rate, we subtract the annual rate of increase in the Consumer Price Index published by the Bureau of Labor Statistics.¹⁰¹ As shown in Figure 4-9, from 1960 to 2019 the real risk-free interest rate averaged 0.82. Figure 4-10 shows the projected real interest rates and the resulting discount factors each year.

National Center for Health Statistics. National Vital Statistics System. United States Life Tables, 2017. Volume 68, Number 7. June 24, 2019.

⁹⁷ The National Health Interview Survey is a joint effort by the Centers for Disease Control and Prevention and the US Census Bureau. The survey is published on the CDC website and is available at:

<https://www.cdc.gov/nchs/nhis/data-questionnaires-documentation.htm>

⁹⁸ Labor Force Statistics from the Current Population Survey, available from www.bls.gov

⁹⁹ Social Security Detailed Calculator. Available from <https://www.ssa.gov/oact/anypia/anypia.html>

¹⁰⁰ Treasury Direct, Historical Auction Query,

https://www.treasurydirect.gov/instit/annceresult/annceresult_query.htm

¹⁰¹ BLS, *Consumer Price Index – All Urban Consumers*, www.bls.gov

Calculation of Pre-injury Earning Capacity

83. Figure 4-11 calculates Ms. Plaintiff’ pre-injury earning capacity from the event on January 10, 2017 until an assumed trial date of February 24, 2020 (“the past”). Figure 4-12 calculates Ms. Plaintiff’ pre-injury earning from the assumed trial date until she reaches age 100 (“the future”), with earnings each year discounted by the probability she will be alive to receive them. Ms. Plaintiff’ pre-injury earning capacity is summarized in the table below.

Time Period	RPC Pre-Event
Past	\$124,427
Future	\$756,197
Total	\$880,624

Calculation of Post-injury Earning Capacity

84. Vocational Consultant opined that Ms. Plaintiff could have returned to work by December 10, 2018, earning \$25,780 per year, based on the five post-injury positions identified for Ms. Plaintiff.

Wage Growth

85. Figure 4-2b calculates the historical real wage growth rate for Black women in Texas with a high school diploma. Over the past decade, median earnings for these women have grown 0.4% slower than overall inflation. When historical real wage growth is negative, RPC assumes 0% real wage growth.

Benefits

86. Ms. Plaintiff may receive health or retirement benefits at her post-injury job. Figure 4-3b calculates the average benefits as a percentage of paid compensation for all civilian workers. RPC included fringe benefits equal to 17.8% of Ms. Plaintiff’ post-injury earnings.

Taxes

87. Ms. Plaintiff' earnings are subject to Social Security, Medicare, and federal income taxes. Together, Social Security and Medicare taxes are 7.65% of earnings.¹⁰² Figure 4-4b calculates Ms. Plaintiff' post-injury federal income tax liability each year based on her projected post-injury earnings, a filing status of single, and standard deductions. RPC reduces Ms. Plaintiff' post-injury earnings by 7.65% and by the amounts in Figure 4-4b.

Work Life Expectancy

88. RPC makes the same adjustments and assumptions about Ms. Plaintiff' post-injury work life expectancy as we made regarding her pre-injury work life expectancy.

Social Security Benefits

89. Figure 4-8b calculates Ms. Plaintiff' post-injury Social Security retirement benefits using the detailed calculator published by the Social Security Administration.

Discounting to Present Value

90. Ms. Plaintiff' post-injury earnings are discounted using the same rates as in the pre-injury scenario. Figure 4-10 shows the projected real interest rates and the resulting discount factors each year.

Calculation of Post-injury Earning Capacity

91. Figure 4-13 calculates Ms. Plaintiff' post-injury earning capacity from the time she could have returned to work, December 10, 2018, until an assumed trial date of February 24, 2020 (the past). Figure 4-14 calculates her pre-injury earning capacity from the assumed trial date until she reaches age 100 (the future), with earnings each year discounted by the probability she will be alive to receive them. Ms. Plaintiff' post-injury earning capacity is summarized in the table below.

¹⁰² Tax Topics – Topic 751 Social Security and Medicare Withholding Rates. Available from www.irs.gov.

Time Period	RPC Post-Event
Past	\$30,974
Future	\$503,660
Total	\$534,634

Calculation of Damages

92. The discounted present value of Ms. Plaintiff's pre-injury earning capacity is \$880,624. The discounted present value of her post-injury earning capacity is \$534,634. Her loss of earning capacity is the difference between these values, \$345,990, as summarized in the table below.

Time Period	RPC Pre-Event	RPC Post-Event	Loss
Past	\$124,427	\$30,974	\$93,453
Future	\$756,197	\$503,660	\$252,537
Total	\$880,624	\$534,634	\$345,990

For the Firm,

Vocational Consultant, MHS, CRC

Economist PhD

Attachment 1

[Attachment 1 contains the *curricula vitae* and testimony lists of the consultants responsible for the report.
For this sample report, the attachment has been intentionally left blank.]

Attachment 2

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Attachment 3

Medical Summary

1. Jane Plaintiff, date of birth February 1, 1968, was working at a construction site on **January 10, 2017**, when a steel door fell from a second-story balcony and struck her head. Although helmeted, the knock rendered Ms. Plaintiff unconscious. **County Emergency Medical Services (EMS)**, arrived and found Ms. Plaintiff awake, with a Glasgow Coma Scale¹ of 14. Ms. Plaintiff did not remember the event and repeatedly asked what happened. She complained of pain to the back of her head and upper neck pain. EMS secured Ms. Plaintiff to a backboard, with cervical collar in place. She remained awake during transport to City Hospital.²

2. Ms. Plaintiff arrived at **City Hospital** emergency department, awake, and with complaints of headache and neck pain. Records indicated a brief but witnessed loss of consciousness from the incident. Ms. Plaintiff indicated a medical history of hypertension and back surgery. A CT of the cervical spine revealed a fracture through the left side of the C1 vertebra, and a chest x-ray showed chronic appearing fracture deformities of the left clavicle and posterior left ribs five through eight.³ Ms. Plaintiff was admitted to the hospital for further testing and care, and on **January 12, 2017**, she developed a fever of 102.8 (normal is 98.7) with continued headaches and a rapid heartrate (tachycardia). She began Flagyl for a urinary tract infection, Robaxin for headaches, and aspirin for the grade one vertebral injury. Ms. Plaintiff improved and was discharged on **January 13, 2017**, to home.⁴

3. **Ben Lewis, MD**, (who specializes in family practice and occupational medicine),⁵ saw Ms. Plaintiff at **Medicine Clinic** on **February 8, 2017**, to establish care for her neck and head injury. She also complained of bilateral shoulder pain and back pain. Ms., Williams' daughter reported she cannot remember things or recall

¹ The Glasgow Coma Scale is a scale that assesses the response to stimuli in patients with craniocerebral injuries. The parameters are eye opening, motor response, and verbal response. 2018. National Institute of Health. Available at <https://meshb.nlm.nih.gov/record/ui?name=Glasgow%20Coma%20Scale>. Accessed May 15, 2019.

² County EMS. Ambulance records. January 10, 2017.

³ City Hospital. Emergency room visit. January 10, 2017.

⁴ City Hospital. Clinician notification notes. January 10, 2017-January 13, 2017.

⁵ Lewis, Ben., MD. Texas Medical Board. http://reg.tmb.state.tx.us/OnLineVerif/Phys_ReportVerif_new.asp. Specialization as self-reported. Accessed May 20, 2019.

conversations a few minutes after talking. Ms. Plaintiff reported her pain as 6/10 in the back, 8/10 in her neck and bilateral shoulders, and 7/10 in her head. Dr. Lewis diagnosed postconcussion syndrome and fracture of the neck and referred her to Dr. Holmes for neurology and pain management, and Dr. Morgan, for neurosurgery. He recommended a nurse case manager and requested she return in one to two weeks.⁶ A work status report from Dr. Lewis indicated Ms. Plaintiff could not work through February 15, 2017.⁷

4. On **February 22, 2017**, Ms. Plaintiff saw **Dustin Morgan, MD**, (who specializes in neurological surgery),⁸ for an initial evaluation of headache and neck pain. She denied visual symptoms or radiating pain from her neck. Ms. Plaintiff reported she ran out of her medications provided from the hospital and she reported some cognitive problems with memory. She also complained of bifrontal headaches with denial of visual or radicular symptoms. Ms. Plaintiff reported she used her cervical collar. Dr. Morgan reviewed previous imaging studies and noted mild narrowing of the vertebral artery at the level of the C1 fracture. He noted symptoms suggestive of postconcussion syndrome, prescribed Fioricet and Flexeril, and recommended a high-resolution CT of the cervical spine with reconstruction.⁹

5. Ms. Plaintiff returned to **Dr. Morgan on March 8, 2017**, and reported she was doing “relatively well” with occasional neck spasm and pain without radiating pain. Ms. Plaintiff indicated a prior history of lumbar spine surgery in 2000. She was noted as 5’7” and weighed 174 pounds. Dr. Gordon noted a normal mental status, normal peripheral sensory and motor examination and normal reflexes. He noted the CT showed a healing left lateral C1 mass fracture with proper alignment and absence of nerve root or cord compression. He recommended continued use of the hard cervical collar until middle March, then progress to a soft collar. He also noted that when in a car, she should don the hard cervical collar. Dr. Gordon recommended she start physical therapy and remain off work.¹⁰

⁶ Medicine Clinic. Initial visit. February 8, 2017.

⁷ Lewis, Ben, MD. Work Status Report. February 8, 2017.

⁸ Morgan, Dustin, MD. Texas Medical Board. Texas Medical Board. http://reg.tmb.state.tx.us/OnLineVerif/Phys_ReportVerif_new.asp. Specialization as self-reported. Accessed May 15, 2019.

⁹ Dustin Morgan, MD. Initial evaluation. February 22, 2017.

¹⁰ Dustin Morgan, MD. Office visit. March 8, 2017.

6. On **March 16, 2017**, Ms. Plaintiff saw **Dr. Lewis** for a reevaluation of neck, bilateral shoulder, back and head pain. She rated all areas of pain as 6/10 and reported difficulty with her memory, anxiety, stress, and depression. She listed her current medications as benzonatate, methocarbamol, hydrocodone, ondansetron, and aspirin. Dr. Lewis provided no additional treatment and recommended she return in six weeks. He noted a “no work” capacity.¹¹

7. *Ms. Plaintiff returned to **Dr. Morgan** on **April 19, 2017**, with continued complaints of neck pain. She stated the Flexeril did not help and the Vicodin gave her an itching rash. Dr. Morgan prescribed Zanaflex and recommended she return in four weeks.*¹²

8. *On June 20, 2017, **Dr. Ted Williams, PhD**, performed a neuropsychological evaluation on Ms. Plaintiff. Dr. Williams concluded that neuropsychological screening performed on May 18, 2017, in his office revealed average performance in language, memory, and executive functions and below-average to mildly impaired in attention and spatial functioning. Dr. Williams recommended more comprehensive testing. Ms. Plaintiff reported smoking one pack of cigarettes a day and drinking two beers a day. Dr. Williams opined that Ms. Plaintiff evaluation revealed global intellectual functioning in the borderline impaired range. Cognitive deficits were observed which he indicated were in excess of what was expected with the injury alone. Ms. Plaintiff also had complaints of severe anxiety, sleep disturbances, and depression. Dr. Williams diagnosed mild neurocognitive disorder, specific learning disorder, unspecified anxiety disorder, and unspecified depressive disorder. He recommended psychiatric treatment for anxiety and depression, individual psychological counselling, medical evaluation and treatment for sleep disorder, and encouraged her to stop consumption of alcohol.*¹³

9. *On **May 24, 2017**, Ms. Plaintiff saw **Harry Harrison, MD**, (who is board certified in family medicine),¹⁴ with Medicine Clinic, for reevaluation of her head and neck injury. Ms. Plaintiff rated her pain as 7/10 and indicated her first physical*

¹¹ Ben Lewis, MD. Office visit. March 16, 2017.

¹² Dustin Morgan, MD. Office visit. April 19, 2017.

¹³ Williams, Ted., Neuropsychological Evaluation. June 29, 2017.

¹⁴ Harrison, Harry, MD. Texas Medical Board.

http://reg.tmb.state.tx.us/OnLineVerif/Phys_ReportVerif_new.asp. Certification as self-reported. Accessed May 20, 2019.

therapy appointment was scheduled for May 30, 2017. Dr. Harrison referred her to pain management, recommended continued physical therapy, and follow up with the neurosurgeon.¹⁵

10. A physical therapy (PT) evaluation with **Anytown Physical Fitness Center**, performed on **May 31, 2017**, indicated Ms. Plaintiff had a pain level of 8/10 with difficulty sleeping at night and some complaints of dizziness. She also complained of difficulty walking with low back pain that caused numbness in her leg. Examination revealed moderate swelling of the right ankle and limited cervical range of motion, limited lumbar range of motion, bilateral upper extremity weakness. PT recommended treatment two to three times a week for four weeks with a diagnosis of cervicalgia and low back pain.¹⁶

11. Ms. White saw **Dr. Harrison** six times between **June 21, 2017**, and **January 25, 2018**. Dr. Harrison provided a work status report indicating Ms. Plaintiff could return to work with light duty only on **June 21, 2017**.¹⁷ On **July 26, 2017**, his office note indicated she could return with restrictions, but the work status report of the same date indicated she could not return to work through September 13, 2017.¹⁸ This difference in reporting was again noted in the **September 22, 2017**, through **December 20, 2017**, office notes and work status report.¹⁹

12. **Dr. Williams** saw Ms. Plaintiff on **June 29, 2017**, for a repeat neuropsychological evaluation. Dr. Williams opined that testing showed intellectual functioning in the borderline impaired range, with observed achievement levels between the 5th and 7th grade levels. She did report a prior history of dyslexia and learning difficulties which likely contributed to her current performance. Dr. Williams noted that the severity of the observed deficits was in excess of what would be expected for the injury alone, with only momentary loss of consciousness and no report of acute intracranial abnormalities on neuroimaging. He added that her prior dyslexia, learning difficulties, severe anxiety, depressions, and sleep disruption likely contributed to her current limitations. He recommended psychiatric treatment and individual psychological counseling for

¹⁵ Harry Harrison, MD. Office visit. May 24, 2017.

¹⁶ North Health, Inc., Summary of Anytown Physical Fitness Center PT evaluation of May 31, 2017. ¹⁷ Harry Harrison, MD. Office visit. June 21, 2017.

¹⁸ Harry Harrison, MD. Office visit. June 21, 2017.

¹⁹ Harry Harrison, MD. Office visits, work status reports. September 22, 2017-December 20, 2017.

anxiety and depression, a medical evaluation and treatment for sleep disorder, and he encouraged Ms. Plaintiff to completely stop drinking alcohol.²⁰

13. *On July 6, 2017, Ms. Plaintiff returned to Dr. Morgan for a re-examination and indicated she had persistent and intermittent lower cervical neck pain. She also had continued bifrontal headaches. Ms. Plaintiff stated she attended four physical therapy sessions to date. Dr. Morgan assessed chronic pain syndrome and recommended continued physical therapy, referral to pain management, and CT to assess the healing of the C1 fracture.²¹*

14. A physical therapy evaluation on **September 20, 2017**, indicated Ms. Plaintiff had complaints of pain rated at 6/10 in her neck. She reported difficulty sleeping and exam noted limited cervical range of motion, bilateral upper extremity weakness and difficulty with turning, activities of daily living, cervicogenic dizziness, and inability to drive.²²

15. **Ben Jerry, MD**, (who is board certified in physical medicine and rehabilitation),²³ performed a designated doctor evaluation on **October 2, 2017**, and concluded Ms. Plaintiff had not reached maximum medical improvement (MMI), in regards to her postconcussive symptoms, including appropriate therapy. He indicated if she received treatment, he estimated she would reach MMI on January 10, 2018.²⁴ He did indicate Ms. Plaintiff could return to light duty as of October 2, 2017, for an undetermined time. Restrictions included no lifting or carrying more than 30 pounds for eight hours a day, no driving and (illegible).²⁵ On **October 18, 2017**, **Dr. Morgan** wrote a letter indicating Ms. Plaintiff demonstrated postconcussive syndrome and he agreed with Dr. Jerry's conclusion Ms. Plaintiff had not reached maximum medical improvement.²⁶

²⁰ Ted Williams, PhD, Neuropsychological evaluation. June 29, 2017,

²¹ Dustin Morgan, MD. Office visit. July 6, 2017.

²² North Health, Inc., Summary of Anytown Physical Fitness Center PT evaluation of September 20, 2017.

²³ Jerry, Ben., Texas Medical Board. http://reg.tmb.state.tx.us/OnLineVerif/Phys_ReportVerif_new.asp. Certification as self-reported. Accessed May 20, 2019.

²⁴ Ben Jerry, MD. Designated Doctor evaluation. October 2, 2017.

²⁵ Ben Jerry, MD. Work status report. October 2, 2017.

²⁶ Dustin Morgan, MD. Letter to AIG. October 18, 2017.

16. On **November 9, 2017**, Ms. Plaintiff saw **Jack Holmes, MD**, (who is board certified in psychiatry/neurology and pain medicine),²⁷ for severe and daily post-traumatic headaches and constant post-traumatic migraine with aura. Dr. Holmes noted Ms. Plaintiff symptoms were compatible with bilateral occipital neuralgia and recommended bilateral occipital nerve blocks.²⁸ *Dr. Holmes performed a left occipital nerve blocks on **November 30, 2017**,*²⁹ *and a right occipital nerve block on **December 7, 2017**.*³⁰ On **January 9, 2018**, Ms. Plaintiff reported clear improvement in her headache pattern. She still experienced headaches, but reported a 50 percent improvement with the occipital blocks. Dr. Holmes recommended a repeated bilateral occipital nerve block and referral for an ear, nose and throat (ENT) consultation.³¹

17. *Ms. Plaintiff attended an initial evaluation with **Premier Physical Therapy** on **February 6, 2018**. At this visit, Ms. Plaintiff weighed 175 pounds. She rated her pain as 6/10 and functional testing indicated she could lift ten pounds, carry twenty pounds, pull and push twenty-five pounds, and lift fifteen pounds from waist to shoulder. The therapist recommended visits three times a week for four weeks.*³² Ms. Plaintiff attended three sessions of physical therapy on **February 27, 2018, March 16, 2018, and March 26, 2018**. Records on **March 26, 2018**, indicated that Ms. Plaintiff attended seven visits and missed or cancelled two visits.³³

18. On **February 14, 2018**, Ms. Plaintiff saw **Sam Sampson, MD**, (who is board certified in plastic surgery and otolaryngology),³⁴ at **ENT Center**, for complaints of ringing in both ears. Dr. Leeman performed a hearing test and a vestibular screening evaluation which were both normal. He recommended further evaluation with a

²⁷ Holmes, Jack, MD. Texas Medical Board. http://reg.tmb.state.tx.us/OnLineVerif/Phys_ReportVerif_new.asp. Certification as self-reported. Accessed May 15, 2019.

²⁸ Jack Holmes, MD. Initial evaluation. November 9, 2017.

²⁹ Jack Holmes, MD. Left peripheral occipital nerve block. November 30, 2017.

³⁰ Jack Holmes, MD. Right peripheral occipital nerve block. December 7, 2017.

³¹ Jack Holmes, MD. Office visit. January 9, 2018.

³² Premier Physical Therapy. Plan of Care. February 6, 2018.

³³ Premier Physical Therapy. Physical therapy sessions. February 27, 2018-March 26, 2018.

³⁴ Sampson, Sam., MD. Texas Medical Board. http://reg.tmb.state.tx.us/OnLineVerif/Phys_ReportVerif_new.asp. Certification as self-reported. Accessed May 20, 2019.

videonystagmography.^{35,36} This was performed on **March 6, 2018**, and returned with normal results.³⁷

19. Ms. Plaintiff received repeated left occipital injections from **Dr. Holmes**, on **February 28, 2018**,³⁸ and **May 9, 2018**,³⁹ and repeated right occipital injections on **April 10, 2018**,⁴⁰ and **May 16, 2018**.⁴¹ Ms. Plaintiff reported improvement on **May 31, 2018**, but she remained symptomatic. Dr. Holmes recommended bilateral occipital radiofrequency (RF) treatments.⁴²

20. **Dr. Harrison** continued to monitor Ms. Plaintiff progress from **March 1, 2018**, through **August 17, 2018**. He did not prescribe medications, but referred her for various treatments such as physical therapy and pain management. On **August 17, 2018**, Dr. Harrison noted Ms. Plaintiff dizziness, though still present, had improved and she could now lay down to sleep. She reported her pain level as 4/10 in her head, an 8/10 in her bilateral shoulders, and a 5/10 in her neck.⁴³ This is the last available record from this provider.

21. A reexamination on **March 13, 2018**, with **ENT Center** revealed Ms. Plaintiff continued with bilateral tinnitus. Recommendation included a tinnitus device and vestibular rehabilitation.⁴⁴ Ms. Plaintiff received the device on **April 6, 2018**, with an adjustment performed on **May 7, 2018**.⁴⁵

22. A functional capacity evaluation performed on **April 9, 2018**, with **Advance Physiotherapy** determined Ms. Plaintiff had the ability to work in the medium DOT category

³⁵ During a VNG test, infrared glasses are placed on the eye to allow monitoring of the vestibular ocular reflex. Afterward, a computer analysis of collected data is performed, and the results are interpreted by an audiologist to determine the integrity of the balance system. Electronystagmography (ENG) & Videonystagmography (VNG) testing. Charlie Carrey Medicine. <https://ent.CharlieCarrey.edu/patients/clinical-specialties/conditions/electronystagmography-eng-videonystagmography-vng-testing>. Accessed May 20, 2019.

³⁶ ENT Center. Sam Sampson, MD. Office visit. February 14, 2018.

³⁷ ENT Center. Videonystagmography (VNG) report. March 6, 2018.

³⁸ Jack Holmes, MD. Left peripheral occipital nerve block. February 28, 2018.

³⁹ Jack Holmes, MD. Left peripheral occipital nerve block. May 9, 2018.

⁴⁰ Jack Holmes, MD. Right peripheral occipital nerve block. April 10, 2018.

⁴¹ Jack Holmes, MD. Right peripheral occipital nerve block. May 16, 2018.

⁴² Jack Holmes, MD. Office visit. May 31, 2018.

⁴³ Harry Harrison, MD. Office visit. March 1, 2018-August 17, 2018.

⁴⁴ ENT Center. Office visit. March 13, 2018.

⁴⁵ ENT Center. Hearing aid and adjustment. April 6, 2018-May 7, 2018.

with light DOT for waist to overhead lifting and heavy DOT for pushing. Ms. Plaintiff reported she could carry twenty pounds and walk for 15-30 minutes, then gets right arm weakness and pain. She also reported right leg pain and a “heavy feeling” after one to two hours of walking/stairs/activity. She spaced out her lifting tasks due to residual pain and dizziness. She voiced she was considering returning to a job in home healthcare.⁴⁶

23. A vestibular rehabilitation initial evaluation performed on Ms. Plaintiff at **360° Balance on June 4, 2018**, noted complaints of constant dizziness two to three times a day. Ms. Plaintiff reported she has tripped but not fallen, and her dizziness worsened with moving. She also reported anxiousness with recent onset of anxiety attacks. The therapist indicated Ms. Plaintiff was a borderline fall risk and recommended vestibular physical therapy of ten sessions.⁴⁷ Ms. Plaintiff attended nine additional sessions between **June 18, 2018, and July 30, 2018**. On the **July 30, 2018**, progress note, the only repeat testing noted was postural control, which indicated no change from the June 4, 2018, evaluation. Mr. Williams stated her dizziness level was 5-6/10 and headache was 3/10. A rating of these areas was not noted on initial evaluation. The therapist recommended continued skilled vestibular therapy with ten visits in the next 90 days.⁴⁸

24. On **October 3, 2018**, **Dr. Jerry** indicated Ms. Plaintiff could return to work on October 3, 2018, with permanent restrictions of no more than four hours daily of kneeling/squatting, bending/stooping, or climbing stairs, overhead lifting limited to 20 pounds, and, otherwise, lifting limited to 35 pounds. He assessed a 5% permanent impairment from her injuries and indicated “other restrictions” based on the functional capacity evaluation performed April 9, 2018.⁴⁹

25. Ms. Plaintiff presented to Ascension Seton Medical Center for black stool and abdominal pain. She received prescriptions for Bentyl and was discharged home.⁵⁰

⁴⁶ Advance Physiotherapy. Functional Capacity Evaluation. April 9, 2018.

⁴⁷ USA Balance. Vestibular rehabilitation initial evaluation of June 4, 2017.

⁴⁸ USA Balance. Vestibular rehabilitation. June 18, 2017-July 30, 2018.

⁴⁹ Ben Jerry, MD. Texas Department of Insurance Medical Evaluation and work status report. October 3, 2018. ⁵⁰ Adams, Jennifer, Med, LPC, CRC, PA. Vocational Report for Trinity Detrice Williams. January 12, 2020. Page 7.

Prior Medical Records:

- Previous workers' compensation injuries:⁵¹
- Back surgery in 2000
- Fractured tailbone
- Sprained ankle

Expert Medical Records Reviews or Independent Medical Examinations:

1. A review of records of Jane Plaintiff by Justin Lopez, MD on July 17, 2017, concludes the C1 fracture and left grade I vertebra artery injury were related to and consistent with the injury on January 10, 2017. Dr. Lopez also opined that Ms. Plaintiff suffered a concussion as a result of the injury. He did not believe the fever, tachycardia, rib, or clavicular fracture were related to the injury of January 10, 2017.⁵²

Diagnoses: (pre-injury)

- Hypertension (stopped medication due to urinary frequency)
- Fractured coccyx (2016)
- Low back pain/lumbar laminectomy (around 2000)

Diagnoses: (post-injury)

- C1 lateral mass fracture⁵³
- Grade 1 left vertebral artery contusion
- Concussion
- Post-concussion syndrome
- Cervicalgia
- Unspecified visual disturbance⁵⁴
- Other abnormalities of gait and mobility⁵⁵

⁵¹ Deposition of Jane Plaintiff. March 4, 2019. Pages 15-18.

⁵² Lopez, Justin. A review of records for Jane Plaintiff. July 17, 2017.

⁵³ City Hospital. Chest x-ray, CT cervical spine results. January 10, 2017. ⁵⁴ Harry Harrison, MD. Office visit. June 21, 2018.

⁵⁵ Harry Harrison, MD. Office visit. June 21, 2018.

- Posttraumatic headaches⁵⁶
- Posttraumatic migraine with aura⁵⁷
- Occipital neuralgia⁵⁸
- Cervical radiculopathy⁵⁹
- Mild neurocognitive disorder due to multiple factors⁶⁰
- Specific learning disorder (prior)
- Unspecified anxiety disorder⁶¹
- Unspecified depressive disorder⁶²

Imaging/Diagnostics (post-injury):

- January 10, 2017. CT head: no mass effect, edema, intracranial hemorrhage⁶³
- January 10, 2017. Chest X-ray: chronic appearing fracture deformities of the left clavicle as well as multiple posterior left ribs, five through eight⁶⁴
- January 10, 2017. Cervical spine x-ray: fracture of C1 not well-seen, stable alignment of the cervical spine with neck brace in place⁶⁵
- January 10, 2017. CT cervical spine: fracture through the left lateral mass of C1⁶⁶
- January 10, 2017. MRI cervical spine: left C1 lateral mass fracture, marrow edema associated with C1 fracture, mild edema left C4 and C5 facet joint likely degenerative⁶⁷
- January 10, 2017. MRA neck: mild irregularity of the V3 segment of the left vertebral artery, indeterminate by MR angiography, suggest CT angiogram for further evaluation⁶⁸
- January 11, 2017. CT Angiography neck: at the level of the C1 fracture, there is mild narrowing of the left vertebral artery suggestive of a grade 1 injury⁶⁹

⁵⁶ Jack Holmes, MD. Initial evaluation. November 9, 2017. ⁵⁷ Jack Holmes, MD. Initial evaluation. November 9, 2017. ⁵⁸ Jack Holmes, MD. Initial evaluation. November 9, 2017. ⁵⁹ Jack Holmes, MD. Initial evaluation. November 9, 2017. ⁶⁰ Ted Williams, PhD, Neuropsychological evaluation. June 29, 2017, ⁶¹ Ted Williams, PhD, Neuropsychological evaluation. June 29, 2017, ⁶² Ted Williams, PhD, Neuropsychological evaluation. June 29, 2017,

⁶³ City Hospital. CT head. January 10, 2017.

⁶⁴ City Hospital. Chest x-ray, CT cervical spine results. January 10, 2017. ⁶⁵ City Hospital. Cervical x-ray. January 10, 2017.

⁶⁶ City Hospital. Chest x-ray, CT cervical spine results. January 10, 2017. ⁶⁷ City Hospital. MRI cervical spine. January 10, 2017.

⁶⁸ City Hospital. MRA neck. January 10, 2017.

⁶⁹ City Hospital. CT Angiography neck. January 11, 2017.

- March 7, 2017. CT cervical spine with reconstruction: interval improvement with near complete healing of the left C1 articular mass fracture, only very subtle residual irregularity along the inferior articular surface⁷⁰
- August 11, 2017. MRI brain: no acute intracranial process or sequela of prior injury, previous C1 lateral mass fracture not evaluated on this MRI⁷¹
- August 23, 2017. CT cervical spine: multilevel cervical degenerative disc disease, spondylosis, osteophyte-disc bulge complexes and degenerative facet arthrosis, no interval change since March 7, 2017; mild left C5-C6 and moderated C6-C7 foraminal stenosis, no radiographic evidence of instability⁷²
- March 6, 2018. Videonystagmography (VNG) report: Normal⁷³

Procedures (Completed):

- November 30, 2017. Left peripheral occipital nerve block⁷⁴
- December 7, 2017. Right peripheral occipital nerve block⁷⁵
- February 28, 2018. Left peripheral occipital nerve block⁷⁶
- April 10, 2018. Right peripheral occipital nerve block⁷⁷
- May 9, 2018. Left peripheral occipital nerve block⁷⁸
- May 16, 2018. Right peripheral occipital nerve block⁷⁹

Procedures (Recommended/Planned):

- *Bilateral occipital radiofrequency (RF) treatments*⁸⁰

⁷⁰ Anytown diagnostics. CT cervical spine. March 7, 2017.

⁷¹ Pain Care Center. MRI brain. August 11, 2017.

⁷² Anytown Diagnostics Imaging. CT cervical spine. August 23, 2017.

⁷³ ENT Center. Videonystagmography (VNG) report. March 6, 2018. ⁷⁴ Jack Holmes, MD. Left peripheral occipital nerve block. November 30, 2017.

⁷⁵ Jack Holmes, MD. Right peripheral occipital nerve block. December 7, 2017.

⁷⁶ Jack Holmes, MD. Left peripheral occipital nerve block. February 28, 2018.

⁷⁷ Jack Holmes, MD. Right peripheral occipital nerve block. April 10, 2018.

⁷⁸ Jack Holmes, MD. Left peripheral occipital nerve block. May 9, 2018.

⁷⁹ Right peripheral occipital nerve block. May 16, 2018.

⁸⁰ Jack Holmes, MD. Office visit. May 31, 2018.

Current Medications (as of March 4, 2019)⁸¹ (Please note whether prior/unrelated to injury)

- None

Current Treating Physicians with Specialty and last known visit (as of March 4, 2019)⁸²

- None – Last treating provider Dr. Harrison, last known visit August 17, 2018.
- Last treatment USA Balance, vestibular rehabilitation, last know visit July 30, 2018.

Work Status/Restrictions

- February 8, 2017. No work ⁸³
- March 16, 2017. No work through April 26, 2017⁸⁴
- July 26, 2017. Restricted duty⁸⁵
- April 9, 2018. Functional capacity evaluation. Medium DOT category with light DOT for waist to overhead lifting and heavy DOT for pushing⁸⁶
- October 3, 2018. Clinical maximum medical improvement on October 3, 2018, with a permanent impairment rating of five percent. Return to work October 3, 2018 with permanent restrictions of no more than four hours daily of kneeling/squatting, bending/stooping, or climbing stairs; overhead lifting limited to 20 pounds, otherwise, lifting limited to 35 pounds⁸⁷

Last Medical Record Received dated *October 3, 2018*⁸⁸**Records Reviewed:**

County EMS. January 10, 2017.

University Medical Center at Brackenridge. January 10, 2017-January 13, 2017. Advance Physiotherapy. Billing and FCE. April 9, 2018.

USA Balance & Hearing Center. June 8, 2018-July 30, 2018.

⁸¹ Deposition of Jane Plaintiff. March 4, 2019. Page 107.

⁸² Deposition of Jane Plaintiff. March 4, 2019. Page 107.

⁸³ Ben Lewis, MD. Work Status Report. February 8, 2017.

⁸⁴ Ben Lewis, MD. Work Status Report. March 16, 2017.

⁸⁵ North Health, Inc., Summary of visit with Dr. Harrison. July 26, 2017.

⁸⁶ Advance Physiotherapy. Functional Capacity Evaluation. April 9, 2018.

⁸⁷ Ben Jerry, MD. Texas Department of Insurance Medical Evaluation and work status report. October 3, 2018. ⁸⁸ Ben Jerry, MD. Texas Department of Insurance Medical Evaluation and work status report. October 3, 2018.

Anycity Radiology Associates. Billing and records. January 10, 2017-April 7, 2018.

Medicine Clinic. (Physician Associates) Billing and records. February 8, 2017-August 17, 2018.

Dustin Morgan, MD. February 22, 2017-October 18, 2017.

ENT Center of Anycity. February 14, 2018-May 7, 2018.

Ted Williams, PhD. May 18, 2017-June 29, 2017

Pain Care Center, Mark Malone, M.D. August 7, 2017-October 31, 2017.

Headache & Pain Center. Jack Holmes, M.D. November 9, 2017-May 31, 2018. North Health, Inc.

Attachment 4

Figure 4-1

Calculation of Pre-Event Base Earnings for Jane Plaintiff

	(A)	(B)	(C)	(D)
Year	Earnings	CPI Inflation	Adjustment Factor	Earnings in 2020 \$
2012	\$38,376	2.1%	111.3%	\$42,710
2013	\$44,415	1.5%	109.7%	\$48,701
2014	\$40,693	1.6%	107.9%	\$43,917
2015	\$32,772	0.1%	107.8%	\$35,333
2016	\$30,200	1.3%	106.4%	\$32,143
2017		2.1%	104.2%	-
2018		2.4%	101.8%	-
2019		1.8%	100.0%	-
2020		0.0%	100.0%	-
			Average Earnings	\$40,561

Source:

(A) Social Security Earnings Statement for Ms. Plaintiff

(B) Annual CPI inflation rates from www.bls.gov

(C) RPC Calculation, Current Adjustment Factor = Future Adjustment Factor x (1 + (B))

(D) RPC Calculation, (A) x (C)

**Figure 4-2a
Projected Pre-Event Wage Growth for Jane Plaintiff**

Earnings Growth (A)				
Initial Year	Initial Median Weekly Earnings	Final Year	Final Median Weekly Earnings	Annual Growth
2008	\$542	2018	\$559	0.31%

Inflation (B)				
Initial Year	Initial CPI	Final Year	Final CPI	Annual Inflation
2008	215.303	2018	251.107	1.55%

(C)

Real Wage Growth
-1.24%

Wage Growth - Annual Figures

Year	Age	(D)	(E)	(F)
		Real Wage Growth	Annual Change	Growth Factor
2020	52	-	-	100.00%
2021	53	0.00%	100.00%	100.00%
2022	54	0.00%	100.00%	100.00%
2023	55	0.00%	100.00%	100.00%
2024	56	0.00%	100.00%	100.00%
2025	57	0.00%	100.00%	100.00%
2026	58	0.00%	100.00%	100.00%
2027	59	0.00%	100.00%	100.00%
2028	60	0.00%	100.00%	100.00%
2029	61	0.00%	100.00%	100.00%
2030	62	0.00%	100.00%	100.00%
2031	63	0.00%	100.00%	100.00%
2032	64	0.00%	100.00%	100.00%
2033	65	0.00%	100.00%	100.00%
2034	66	0.00%	100.00%	100.00%
2035	67	0.00%	100.00%	100.00%

Source: (A) Usual weekly earnings for women who are driver/sales workers and truck drivers. Available from www.bls.gov
 (B) CPI from www.bls.gov
 (C) Calculation, Annualized nominal wage growth - annual inflation
 (D) RPC assumes 0% when growth rate is negative
 (E) Annual Adjustment = (1 + Annual Real growth rate)
 (F) Growth Factor Current Year = Prior Year Growth Factor x Current Year Annual Adjustment

**Figure 4-2b
Projected Post-Event Wage Growth for Jane Plaintiff**

Earnings Growth (A)				
Initial Year	Initial Median Annual Earnings	Final Year	Final Median Annual Earnings	Annual Growth
2007	\$22,880	2017	\$26,000	1.29%

Inflation (B)				
Initial Year	Initial CPI	Final Year	Final CPI	Annual Inflation
2007	207.342	2017	245.120	1.69%

(C)

Real Wage Growth
-0.40%

Wage Growth - Annual Figures

Year	Age	(D)	(E)	(F)
		Real Wage Growth	Annual Change	Growth Factor
2020	52	-	-	100.00%
2021	53	0.00%	100.00%	100.00%
2022	54	0.00%	100.00%	100.00%
2023	55	0.00%	100.00%	100.00%
2024	56	0.00%	100.00%	100.00%
2025	57	0.00%	100.00%	100.00%
2026	58	0.00%	100.00%	100.00%
2027	59	0.00%	100.00%	100.00%
2028	60	0.00%	100.00%	100.00%
2029	61	0.00%	100.00%	100.00%
2030	62	0.00%	100.00%	100.00%
2031	63	0.00%	100.00%	100.00%
2032	64	0.00%	100.00%	100.00%
2033	65	0.00%	100.00%	100.00%
2034	66	0.00%	100.00%	100.00%
2035	67	0.00%	100.00%	100.00%

Source: (A) Median annual earnings for Black women in Texas with a high school diploma. Available from www.census.gov
 (B) CPI from www.bls.gov
 (C) Calculation, Annualized nominal wage growth - annual inflation
 (D) RPC assumes 0% when growth rate is negative
 (E) Annual Adjustment = (1 + Annual Real growth rate)
 (F) Growth Factor Current Year = Prior Year Growth Factor x Current Year Annual Adjustment

Figure 4-3a
Pre-Event Benefits Percentage Calculation for Jane Plaintiff

Category: Transportation and material moving
 Period: Economic Release dated December 18, 2019

Compensation

Category	Average Hourly Amount
Wages & salaries	\$19.79
Paid leave	\$1.74
Supplemental pay	\$1.00
Total	\$22.53

Benefits

Category	Average Hourly Amount
Insurance	\$3.11
Retirement	\$1.69
Total	\$4.80

Benefits as a % of Compensation	21.3%
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Source: Employer Costs for Employee Compensation from www.bls.gov

**Figure 4-3b
Post-Event Benefits Percentage Calculation for Jane Plaintiff**

Category: Civilian Workers, all
 Period: Economic Release dated December 18, 2019

Compensation

Category	Average Hourly Amount
Wages & salaries	\$25.43
Paid leave	\$2.68
Supplemental pay	\$1.04
Total	\$29.15

Benefits

Category	Average Hourly Amount
Insurance	\$3.22
Retirement	\$1.96
Total	\$5.18

Benefits as a % of Compensation	17.8%
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Source: Employer Costs for Employee Compensation from www.bls.gov

Figure 4-4a
Income Tax Calculations Pre-Event for Jane Plaintiff

	(A)	(B)	(C)	(D)	(E)	(F)		
Year	Age	Filing Status	Income	Personal Exemption	Standard Deduction	>65 Ded	Taxable Income	Tax \$
2017	49	Single	\$40,561	\$4,050	\$6,350	\$0	\$30,161	\$4,058
2018	50	Single	\$39,844	\$0	\$12,000	\$0	\$27,844	\$3,151
2019	51	Single	\$40,561	\$0	\$12,200	\$0	\$28,361	\$3,209
2020	52	Single	\$40,561	\$0	\$12,400	\$0	\$28,161	\$3,182
2021	53	Single	\$40,561	\$0	\$12,400	\$0	\$28,161	\$3,182
2022	54	Single	\$40,561	\$0	\$12,400	\$0	\$28,161	\$3,182
2023	55	Single	\$40,561	\$0	\$12,400	\$0	\$28,161	\$3,182
2024	56	Single	\$40,561	\$0	\$12,400	\$0	\$28,161	\$3,182
2025	57	Single	\$40,561	\$0	\$12,400	\$0	\$28,161	\$3,182
2026	58	Single	\$40,561	\$0	\$12,400	\$0	\$28,161	\$3,182
2027	59	Single	\$40,561	\$0	\$12,400	\$0	\$28,161	\$3,182
2028	60	Single	\$40,561	\$0	\$12,400	\$0	\$28,161	\$3,182
2029	61	Single	\$40,561	\$0	\$12,400	\$0	\$28,161	\$3,182
2030	62	Single	\$40,561	\$0	\$12,400	\$0	\$28,161	\$3,182
2031	63	Single	\$40,561	\$0	\$12,400	\$0	\$28,161	\$3,182
2032	64	Single	\$40,561	\$0	\$12,400	\$0	\$28,161	\$3,182
2033	65	Single	\$40,561	\$0	\$12,400	\$1,600	\$26,561	\$2,990
2034	66	Single	\$40,561	\$0	\$12,400	\$1,600	\$26,561	\$2,990
2035	67	Single	\$6,760	\$0	\$12,400	\$1,600	(\$7,240)	\$0

Source: (A) Figure 4-11 and Figure 4-12

(B) Current tax laws, available from www.taxpolicycenter.org and www.taxfoundation.org

(C) Current tax laws, available from www.taxpolicycenter.org and www.taxfoundation.org

(D) Current tax laws, available from www.taxpolicycenter.org and www.taxfoundation.org

(E) Calculation, (A) - (B) - (C) - (D)

(F) Calculation based on (E) and current tax laws, available from www.taxpolicycenter.org and www.taxfoundation.org

Figure 4-4b
Income Tax Calculations Post-Event for Jane Plaintiff

	(A)	(B)	(C)	(D)	(E)	(F)		
Year	Age	Filing Status	Income	Personal Exemption	Standard Deduction	>65 Ded	Taxable Income	Tax \$
2017	49	Single	\$0	\$4,050	\$6,350	\$0	(\$10,400)	\$0
2018	50	Single	\$1,477	\$0	\$12,000	\$0	(\$10,523)	\$0
2019	51	Single	\$25,780	\$0	\$12,200	\$0	\$13,580	\$1,436
2020	52	Single	\$25,780	\$0	\$12,400	\$0	\$13,380	\$1,408
2021	53	Single	\$25,780	\$0	\$12,400	\$0	\$13,380	\$1,408
2022	54	Single	\$25,780	\$0	\$12,400	\$0	\$13,380	\$1,408
2023	55	Single	\$25,780	\$0	\$12,400	\$0	\$13,380	\$1,408
2024	56	Single	\$25,780	\$0	\$12,400	\$0	\$13,380	\$1,408
2025	57	Single	\$25,780	\$0	\$12,400	\$0	\$13,380	\$1,408
2026	58	Single	\$25,780	\$0	\$12,400	\$0	\$13,380	\$1,408
2027	59	Single	\$25,780	\$0	\$12,400	\$0	\$13,380	\$1,408
2028	60	Single	\$25,780	\$0	\$12,400	\$0	\$13,380	\$1,408
2029	61	Single	\$25,780	\$0	\$12,400	\$0	\$13,380	\$1,408
2030	62	Single	\$25,780	\$0	\$12,400	\$0	\$13,380	\$1,408
2031	63	Single	\$25,780	\$0	\$12,400	\$0	\$13,380	\$1,408
2032	64	Single	\$25,780	\$0	\$12,400	\$0	\$13,380	\$1,408
2033	65	Single	\$25,780	\$0	\$12,400	\$1,600	\$11,780	\$1,216
2034	66	Single	\$25,780	\$0	\$12,400	\$1,600	\$11,780	\$1,216
2035	67	Single	\$4,297	\$0	\$12,400	\$1,600	(\$9,703)	\$0

Source: (A) Figure 4-13 and Figure 4-14

(B) Current tax laws, available from www.taxpolicycenter.org and www.taxfoundation.org

(C) Current tax laws, available from www.taxpolicycenter.org and www.taxfoundation.org

(D) Current tax laws, available from www.taxpolicycenter.org and www.taxfoundation.org

(E) Calculation, (A) - (B) - (C) - (D)

(F) Calculation based on (E) and current tax laws, available from www.taxpolicycenter.org and www.taxfoundation.org

Figure 4-5
Life Probability Calculation

	(A)	(B)
Year	Age	# Surviving
2019	51	93,711
2020	52	93,299
2021	53	92,851
2022	54	92,362
2023	55	91,826
2024	56	91,241
2025	57	90,605
2026	58	89,918
2027	59	89,182
2028	60	88,397
2029	61	87,562
2030	62	86,676
2031	63	85,736
2032	64	84,741
2033	65	83,691
2034	66	82,583
2035	67	81,415
2036	68	80,182
2037	69	78,888
2038	70	77,537
2039	71	76,127
2040	72	74,661
2041	73	73,117
2042	74	71,462
2043	75	69,700
2044	76	67,819
2045	77	65,810
2046	78	63,697
2047	79	61,425
2048	80	59,021
2049	81	56,516
2050	82	53,860
2051	83	51,096
2052	84	48,236
2053	85	45,272
2054	86	42,199
2055	87	39,084
2056	88	35,888
2057	89	32,639
2058	90	29,372
2059	91	26,129
2060	92	22,952
2061	93	19,884
2062	94	16,970
2063	95	14,248
2064	96	11,754
2065	97	9,515
2066	98	7,547
2067	99	5,858
2068	100	4,443

(A) National Center for Health Statistics, United States Life Tables, 2017. Volume 68, Number 7. June 24, 2019 Table 9. Life table for Black Females

(B) # surviving at each year divided by number surviving to beginning age 51

Figure 4-6
Probability Able to Work

	(A)	(B)
Year	Age	% Able
2016	48	89.21%
2017	49	88.90%
2018	50	88.58%
2019	51	88.26%
2020	52	87.93%
2021	53	87.59%
2022	54	87.25%
2023	55	86.90%
2024	56	86.55%
2025	57	86.19%
2026	58	85.82%
2027	59	85.44%
2028	60	85.06%
2029	61	84.67%
2030	62	84.28%
2031	63	83.88%
2032	64	83.47%
2033	65	83.05%
2034	66	82.63%
2035	67	82.20%

(A) Calculated using data from National Health Interview Survey, 2017. Centers for Disease Control and Prevention, National Center for Health Statistics

(B) Factor calculated as % Able in year / % Able in 2016

Figure 4-7

Projected Employment Rates for Jane Plaintiff

	(A)	(B)	(C)	(D)	(E)	(F)	(G)	
Year	Age	Historical Employment by Race and Sex	Historical Unemployment	Historical Employment	Actual or Projected Unemployment	Actual or Projected Employment	Relative Employment Rate	Projected Employment Rate
2017	49	93.91%	5.94%	94.06%	4.40%	95.60%	101.64%	95.46%
2018	50	94.44%	5.94%	94.06%	3.90%	96.10%	102.17%	96.49%
2019	51	94.44%	5.94%	94.06%	4.10%	95.90%	101.96%	96.29%
2020	52	94.44%	5.94%	94.06%	4.50%	95.50%	101.54%	95.89%
2021	53	94.44%	5.94%	94.06%	4.90%	95.10%	101.11%	95.49%
2022	54	94.44%	5.94%	94.06%	5.30%	94.70%	100.69%	95.09%
2023	55	94.96%	5.94%	94.06%	5.50%	94.50%	100.47%	95.41%
2024	56	94.96%	5.94%	94.06%	5.50%	94.50%	100.47%	95.41%
2025	57	94.96%	5.94%	94.06%	5.50%	94.50%	100.47%	95.41%
2026	58	94.96%	5.94%	94.06%	5.50%	94.50%	100.47%	95.41%
2027	59	94.96%	5.94%	94.06%	5.50%	94.50%	100.47%	95.41%
2028	60	95.38%	5.94%	94.06%	5.50%	94.50%	100.47%	95.83%
2029	61	95.38%	5.94%	94.06%	5.50%	94.50%	100.47%	95.83%
2030	62	95.38%	5.94%	94.06%	5.50%	94.50%	100.47%	95.83%
2031	63	95.38%	5.94%	94.06%	5.50%	94.50%	100.47%	95.83%
2032	64	95.38%	5.94%	94.06%	5.50%	94.50%	100.47%	95.83%
2033	65	94.19%	5.94%	94.06%	5.50%	94.50%	100.47%	94.64%
2034	66	94.19%	5.94%	94.06%	5.50%	94.50%	100.47%	94.64%
2035	67	94.19%	5.94%	94.06%	5.50%	94.50%	100.47%	94.64%

Historical Employment by Race and Sex is calculated for a(n) black female

- Source:
- (A) Labor Force Statistics from the Current Population Survey, available from www.bls.gov
 - (B) Labor Force Statistics from the Current Population Survey, available from www.bls.gov
 - (C) Calculation, 1-(B)
 - (D) 2019 Annual OASDI Report
 - (E) Calculation, 1- (D)
 - (F) Calculation, (E) / (C)
 - (G) Calculaiton, (A) x (F)

Figure 4-8a
Projected Social Security Benefits Pre-Event for Jane Plaintiff

Projected Pre-Event Benefit (A)				\$1,420	
			(B)	(C)	(D)
Year	% of Year	Year End Age	Benefits 2020 \$	Probability Alive	Adjusted Benefits
2035	83.33%	67	\$14,200	86.88%	\$12,337
2036	100.00%	68	\$17,040	85.56%	\$14,580
2037	100.00%	69	\$17,040	84.18%	\$14,345
2038	100.00%	70	\$17,040	82.74%	\$14,099
2039	100.00%	71	\$17,040	81.24%	\$13,843
2040	100.00%	72	\$17,040	79.67%	\$13,576
2041	100.00%	73	\$17,040	78.02%	\$13,295
2042	100.00%	74	\$17,040	76.26%	\$12,994
2043	100.00%	75	\$17,040	74.38%	\$12,674
2044	100.00%	76	\$17,040	72.37%	\$12,332
2045	100.00%	77	\$17,040	70.23%	\$11,967
2046	100.00%	78	\$17,040	67.97%	\$11,582
2047	100.00%	79	\$17,040	65.55%	\$11,169
2048	100.00%	80	\$17,040	62.98%	\$10,732
2049	100.00%	81	\$17,040	60.31%	\$10,277
2050	100.00%	82	\$17,040	57.47%	\$9,794
2051	100.00%	83	\$17,040	54.53%	\$9,291
2052	100.00%	84	\$17,040	51.47%	\$8,771
2053	100.00%	85	\$17,040	48.31%	\$8,232
2054	100.00%	86	\$17,040	45.03%	\$7,673
2055	100.00%	87	\$17,040	41.71%	\$7,107
2056	100.00%	88	\$17,040	38.30%	\$6,526
2057	100.00%	89	\$17,040	34.83%	\$5,935
2058	100.00%	90	\$17,040	31.34%	\$5,341
2059	100.00%	91	\$17,040	27.88%	\$4,751
2060	100.00%	92	\$17,040	24.49%	\$4,173
2061	100.00%	93	\$17,040	21.22%	\$3,616
2062	100.00%	94	\$17,040	18.11%	\$3,086
2063	100.00%	95	\$17,040	15.20%	\$2,591
2064	100.00%	96	\$17,040	12.54%	\$2,137
2065	100.00%	97	\$17,040	10.15%	\$1,730
2066	100.00%	98	\$17,040	8.05%	\$1,372
2067	100.00%	99	\$17,040	6.25%	\$1,065
2068	8.33%	100	\$1,420	4.74%	\$67

Source: (A) Detailed calculator from the Social Security Administration, available from <https://www.ssa.gov/oact/anypia/anypia.html>

(B) Calculation, (A) x % Year x 12

(C) Figure 4-5

(D) Calculation, (B) x (C)

Figure 4-8b
Projected Social Security Benefits Post-Event for Jane Plaintiff

Projected Post-Event Benefit (A)				\$1,069	
			(B)	(C)	(D)
Year	% of Year	Year End Age	Benefits 2020 \$	Probability Alive	Adjusted Benefits
2035	83.33%	67	\$10,690	86.88%	\$9,287
2036	100.00%	68	\$12,828	85.56%	\$10,976
2037	100.00%	69	\$12,828	84.18%	\$10,799
2038	100.00%	70	\$12,828	82.74%	\$10,614
2039	100.00%	71	\$12,828	81.24%	\$10,421
2040	100.00%	72	\$12,828	79.67%	\$10,220
2041	100.00%	73	\$12,828	78.02%	\$10,009
2042	100.00%	74	\$12,828	76.26%	\$9,782
2043	100.00%	75	\$12,828	74.38%	\$9,541
2044	100.00%	76	\$12,828	72.37%	\$9,284
2045	100.00%	77	\$12,828	70.23%	\$9,009
2046	100.00%	78	\$12,828	67.97%	\$8,719
2047	100.00%	79	\$12,828	65.55%	\$8,408
2048	100.00%	80	\$12,828	62.98%	\$8,079
2049	100.00%	81	\$12,828	60.31%	\$7,736
2050	100.00%	82	\$12,828	57.47%	\$7,373
2051	100.00%	83	\$12,828	54.53%	\$6,994
2052	100.00%	84	\$12,828	51.47%	\$6,603
2053	100.00%	85	\$12,828	48.31%	\$6,197
2054	100.00%	86	\$12,828	45.03%	\$5,777
2055	100.00%	87	\$12,828	41.71%	\$5,350
2056	100.00%	88	\$12,828	38.30%	\$4,913
2057	100.00%	89	\$12,828	34.83%	\$4,468
2058	100.00%	90	\$12,828	31.34%	\$4,021
2059	100.00%	91	\$12,828	27.88%	\$3,577
2060	100.00%	92	\$12,828	24.49%	\$3,142
2061	100.00%	93	\$12,828	21.22%	\$2,722
2062	100.00%	94	\$12,828	18.11%	\$2,323
2063	100.00%	95	\$12,828	15.20%	\$1,950
2064	100.00%	96	\$12,828	12.54%	\$1,609
2065	100.00%	97	\$12,828	10.15%	\$1,303
2066	100.00%	98	\$12,828	8.05%	\$1,033
2067	100.00%	99	\$12,828	6.25%	\$802
2068	8.33%	100	\$1,069	4.74%	\$51

Source: (A) Detailed calculator from the Social Security Administration, available from <https://www.ssa.gov/oact/anypia/anypia.html>

(B) Calculation, (A) x % Year x 12

(C) Figure 4-5

(D) Calculation, (B) x (C)

Figure 4-9
Calculation of Real Interest Rates
1960 - 2018

	(A)	(B)	(C)
Year	3 Month T-Bill Interest Rate	CPI Inflation	Real Interest Rate
1960	2.93%	1.70%	1.21%
1961	2.38%	1.00%	1.37%
1962	2.78%	1.00%	1.76%
1963	3.16%	1.30%	1.84%
1964	3.56%	1.30%	2.23%
1965	3.95%	1.60%	2.31%
1966	4.88%	2.90%	1.92%
1967	4.32%	3.10%	1.18%
1968	5.34%	4.20%	1.09%
1969	6.68%	5.50%	1.12%
1970	6.43%	5.70%	0.69%
1971	4.35%	4.40%	-0.05%
1972	4.07%	3.20%	0.84%
1973	7.04%	6.20%	0.79%
1974	7.89%	11.00%	-2.80%
1975	5.84%	9.10%	-2.99%
1976	4.99%	5.80%	-0.77%
1977	5.27%	6.50%	-1.15%
1978	7.22%	7.60%	-0.35%
1979	10.05%	11.30%	-1.12%
1980	11.51%	13.50%	-1.75%
1981	14.03%	10.30%	3.38%
1982	10.69%	6.20%	4.23%
1983	8.63%	3.20%	5.26%
1984	9.53%	4.30%	5.01%
1985	7.47%	3.60%	3.74%
1986	5.98%	1.90%	4.00%
1987	5.82%	3.60%	2.14%
1988	6.69%	4.10%	2.49%
1989	8.12%	4.80%	3.17%
1990	7.51%	5.40%	2.00%
1991	5.42%	4.20%	1.17%
1992	3.45%	3.00%	0.44%
1993	3.02%	3.00%	0.02%
1994	4.29%	2.60%	1.65%
1995	5.68%	2.80%	2.80%
1996	5.16%	3.00%	2.10%
1997	5.21%	2.30%	2.84%
1998	4.93%	1.60%	3.28%
1999	4.79%	2.20%	2.54%
2000	6.02%	3.40%	2.53%
2001	3.53%	2.80%	0.71%
2002	1.64%	1.60%	0.04%
2003	1.03%	2.30%	-1.24%
2004	1.41%	2.70%	-1.26%
2005	3.23%	3.40%	-0.16%
2006	4.85%	3.20%	1.60%
2007	4.53%	2.80%	1.68%
2008	1.50%	3.80%	-2.21%
2009	0.16%	-0.40%	0.56%
2010	0.14%	1.60%	-1.44%
2011	0.06%	3.20%	-3.05%
2012	0.09%	2.10%	-1.97%
2013	0.06%	1.50%	-1.42%
2014	0.03%	1.60%	-1.54%
2015	0.06%	0.10%	-0.04%
2016	0.33%	1.30%	-0.96%
2017	0.96%	2.10%	-1.12%
2018	1.98%	2.40%	-0.41%
2019	2.10%	1.80%	0.30%
Geometric Mean			0.82%

(A) Average of weekly auctions of 3-month T-bills www.treasurydirect.gov

(B) Bureau of Labor Statistics

(C) Calculation, Real = [(1+T-Bill)/(1+CPI)]-1

Figure 4-10
Discount Rate

	(A)	(B)
Year	Real Interest Rate	Real Discount Factor
2020	-	100.00%
2021	0.82%	99.19%
2022	0.82%	98.38%
2023	0.82%	97.58%
2024	0.82%	96.79%
2025	0.82%	96.01%
2026	0.82%	95.23%
2027	0.82%	94.46%
2028	0.82%	93.69%
2029	0.82%	92.93%
2030	0.82%	92.17%
2031	0.82%	91.43%
2032	0.82%	90.68%
2033	0.82%	89.95%
2034	0.82%	89.22%
2035	0.82%	88.49%
2036	0.82%	87.78%
2037	0.82%	87.06%
2038	0.82%	86.36%
2039	0.82%	85.66%
2040	0.82%	84.96%
2041	0.82%	84.27%
2042	0.82%	83.59%
2043	0.82%	82.91%
2044	0.82%	82.24%
2045	0.82%	81.57%
2046	0.82%	80.91%
2047	0.82%	80.25%
2048	0.82%	79.60%
2049	0.82%	78.95%
2050	0.82%	78.31%
2051	0.82%	77.68%
2052	0.82%	77.05%
2053	0.82%	76.42%
2054	0.82%	75.80%
2055	0.82%	75.19%
2056	0.82%	74.57%
2057	0.82%	73.97%
2058	0.82%	73.37%
2059	0.82%	72.77%
2060	0.82%	72.18%
2061	0.82%	71.60%
2062	0.82%	71.02%
2063	0.82%	70.44%
2064	0.82%	69.87%
2065	0.82%	69.30%
2066	0.82%	68.74%
2067	0.82%	68.18%
2068	0.82%	67.63%

(A) Previous Figure

(B) Calculation, Current rate = Previous rate / (1+(A))

**Figure 4-11
Past Earning capacity for Jane Plaintiff: Pre-Event**

	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	
Year	Age	% of Year	Earnings in 2020 \$	Real Wage Growth	Past Wages	Less Soc. Sec. and Medicare	Less Income Taxes	Fringe Benefits	Net Earnings	Probability Alive	Probability Able to Work	Probability Employed	Adjusted Earnings	Adjusted Social Security	Total Past Value of Earning Capacity	Real Discount Factor	Present Value of Earning Capacity
2017	49	97.5%	\$37,937	100.00%	\$37,937	(\$2,902)	(\$3,956)	\$8,082	\$39,161	100.00%	99.65%	95.46%	\$37,252		\$37,252	100.00%	\$37,252
2018	50	100.0%	\$39,844	100.00%	\$39,844	(\$3,048)	(\$3,151)	\$8,489	\$42,134	100.00%	99.30%	96.49%	\$40,370		\$40,370	100.00%	\$40,370
2019	51	100.0%	\$40,561	100.00%	\$40,561	(\$3,103)	(\$3,209)	\$8,641	\$42,890	100.00%	98.94%	96.29%	\$40,860		\$40,860	100.00%	\$40,860
2020	52	14.7%	\$5,971	100.00%	\$5,971	(\$457)	(\$468)	\$1,272	\$6,318	99.56%	98.57%	95.89%	\$5,946		\$5,946	100.00%	\$5,946
Totals until date of trial:			\$124,313		\$124,313	(\$9,510)	(\$10,785)	\$26,485	\$130,503				\$124,427	\$0	\$124,427		\$124,427

Source: (A) 2017 calculated as fraction of year after event on January 10. 2020 calculated as fraction of year before assumed trial date of February 24.

(B) Calculation, amount from Figure 4-1 without inflation adjustment x (A)

(C) Figure 4-2a

(D) Calculation, (B) x (C)

(E) Calculation, -7.65% x (D)

(F) Figure 4-4a

(G) Calculation, benefits percentage from Figure 4-3a x (D)

(H) Calculation, (D) + (E) + (F) + (G)

(I) Figure 4-5

(J) Figure 4-6

(K) Figure 4-7

(L) Calculation, (H) x (I) x (J) x (K)

(M) Figure 4-8a

(N) Calculation, (L) + (M)

(O) Figure 4-10

(P) Calculation, (N) x (O)

Figure 4-12
 Future Earning capacity for Jane Plaintiff: Pre-Event

	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	
Year	Age	% of Year	Earnings in 2020 \$	Real Wage Growth	Future Wages	Less Soc. Sec. and Medicare	Less Income Taxes	Fringe Benefits	Net Earnings	Probability Alive	Probability Able to Work	Probability Employed	Adjusted Earnings	Adjusted Social Security	Total Future Value of Earning Capacity	Real Discount Factor	Present Value of Earning Capacity
2020	52	85.3%	\$34,590	100.00%	\$34,590	(\$2,646)	(\$2,713)	\$7,369	\$36,599	99.56%	98.57%	95.89%	\$34,440		\$34,440	100.00%	\$34,440
2021	53	100.0%	\$40,561	100.00%	\$40,561	(\$3,103)	(\$3,182)	\$8,641	\$42,918	99.08%	98.19%	95.49%	\$39,870		\$39,870	99.19%	\$39,546
2022	54	100.0%	\$40,561	100.00%	\$40,561	(\$3,103)	(\$3,182)	\$8,641	\$42,918	98.56%	97.81%	95.09%	\$39,339		\$39,339	98.38%	\$38,703
2023	55	100.0%	\$40,561	100.00%	\$40,561	(\$3,103)	(\$3,182)	\$8,641	\$42,918	97.99%	97.42%	95.41%	\$39,088		\$39,088	97.58%	\$38,144
2024	56	100.0%	\$40,561	100.00%	\$40,561	(\$3,103)	(\$3,182)	\$8,641	\$42,918	97.36%	97.02%	95.41%	\$38,681		\$38,681	96.79%	\$37,440
2025	57	100.0%	\$40,561	100.00%	\$40,561	(\$3,103)	(\$3,182)	\$8,641	\$42,918	96.69%	96.61%	95.41%	\$38,250		\$38,250	96.01%	\$36,723
2026	58	100.0%	\$40,561	100.00%	\$40,561	(\$3,103)	(\$3,182)	\$8,641	\$42,918	95.95%	96.20%	95.41%	\$37,798		\$37,798	95.23%	\$35,995
2027	59	100.0%	\$40,561	100.00%	\$40,561	(\$3,103)	(\$3,182)	\$8,641	\$42,918	95.17%	95.78%	95.41%	\$37,325		\$37,325	94.46%	\$35,255
2028	60	100.0%	\$40,561	100.00%	\$40,561	(\$3,103)	(\$3,182)	\$8,641	\$42,918	94.33%	95.35%	95.83%	\$36,993		\$36,993	93.69%	\$34,658
2029	61	100.0%	\$40,561	100.00%	\$40,561	(\$3,103)	(\$3,182)	\$8,641	\$42,918	93.44%	94.92%	95.83%	\$36,476		\$36,476	92.93%	\$33,897
2030	62	100.0%	\$40,561	100.00%	\$40,561	(\$3,103)	(\$3,182)	\$8,641	\$42,918	92.49%	94.47%	95.83%	\$35,938		\$35,938	92.17%	\$33,126
2031	63	100.0%	\$40,561	100.00%	\$40,561	(\$3,103)	(\$3,182)	\$8,641	\$42,918	91.49%	94.02%	95.83%	\$35,379		\$35,379	91.43%	\$32,346
2032	64	100.0%	\$40,561	100.00%	\$40,561	(\$3,103)	(\$3,182)	\$8,641	\$42,918	90.43%	93.57%	95.83%	\$34,799		\$34,799	90.68%	\$31,557
2033	65	100.0%	\$40,561	100.00%	\$40,561	(\$3,103)	(\$2,990)	\$8,641	\$43,110	89.31%	93.10%	94.64%	\$33,923		\$33,923	89.95%	\$30,513
2034	66	100.0%	\$40,561	100.00%	\$40,561	(\$3,103)	(\$2,990)	\$8,641	\$43,110	88.13%	92.63%	94.64%	\$33,304		\$33,304	89.22%	\$29,713
2035	67	16.7%	\$6,760	100.00%	\$6,760	(\$517)	\$0	\$1,440	\$7,683	86.88%	92.15%	94.64%	\$5,821	\$12,337	\$18,158	88.49%	\$16,069
2036	68												\$14,580	\$14,580	\$14,580	87.78%	\$12,798
2037	69												\$14,345	\$14,345	\$14,345	87.06%	\$12,489
2038	70												\$14,099	\$14,099	\$14,099	86.36%	\$12,175
2039	71												\$13,843	\$13,843	\$13,843	85.66%	\$11,857
2040	72												\$13,576	\$13,576	\$13,576	84.96%	\$11,534
2041	73												\$13,295	\$13,295	\$13,295	84.27%	\$11,204
2042	74												\$12,994	\$12,994	\$12,994	83.59%	\$10,862
2043	75												\$12,674	\$12,674	\$12,674	82.91%	\$10,508
2044	76												\$12,332	\$12,332	\$12,332	82.24%	\$10,141
2045	77												\$11,967	\$11,967	\$11,967	81.57%	\$9,761
2046	78												\$11,582	\$11,582	\$11,582	80.91%	\$9,371
2047	79												\$11,169	\$11,169	\$11,169	80.25%	\$8,963
2048	80												\$10,732	\$10,732	\$10,732	79.60%	\$8,543
2049	81												\$10,277	\$10,277	\$10,277	78.95%	\$8,114
2050	82												\$9,794	\$9,794	\$9,794	78.31%	\$7,670
2051	83												\$9,291	\$9,291	\$9,291	77.68%	\$7,217
2052	84												\$8,771	\$8,771	\$8,771	77.05%	\$6,758
2053	85												\$8,232	\$8,232	\$8,232	76.42%	\$6,291
2054	86												\$7,673	\$7,673	\$7,673	75.80%	\$5,816
2055	87												\$7,107	\$7,107	\$7,107	75.19%	\$5,343
2056	88												\$6,526	\$6,526	\$6,526	74.57%	\$4,867
2057	89												\$5,935	\$5,935	\$5,935	73.97%	\$4,390
2058	90												\$5,341	\$5,341	\$5,341	73.37%	\$3,919
2059	91												\$4,751	\$4,751	\$4,751	72.77%	\$3,458
2060	92												\$4,173	\$4,173	\$4,173	72.18%	\$3,013
2061	93												\$3,616	\$3,616	\$3,616	71.60%	\$2,589
2062	94												\$3,086	\$3,086	\$3,086	71.02%	\$2,191

**Figure 4-12
Future Earning capacity for Jane Plaintiff: Pre-Event**

	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	
Year	Age	% of Year	Earnings in 2020 \$	Real Wage Growth	Future Wages	Less Soc. Sec. and Medicare	Less Income Taxes	Fringe Benefits	Net Earnings	Probability Alive	Probability Able to Work	Probability Employed	Adjusted Earnings	Adjusted Social Security	Total Future Value of Earning Capacity	Real Discount Factor	Present Value of Earning Capacity
2063	95												\$2,591	\$2,591	70.44%	\$1,825	
2064	96												\$2,137	\$2,137	69.87%	\$1,493	
2065	97												\$1,730	\$1,730	69.30%	\$1,199	
2066	98												\$1,372	\$1,372	68.74%	\$943	
2067	99												\$1,065	\$1,065	68.18%	\$726	
2068	100												\$67	\$67	67.63%	\$46	
Totals from date of trial:			\$609,203		\$609,203	(\$46,604)	(\$46,875)	\$129,790	\$645,515				\$557,425	\$283,060	\$840,484		\$756,197
Grand Totals:			\$733,517		\$733,517	(\$56,114)	(\$57,660)	\$156,275	\$776,018				\$681,851	\$283,060	\$964,911		\$880,624

Source: (A) 2020 calculated as fraction of year after trial date on February 24. 2035 calculated as fraction of year before assumed retirement on March 1.

- (B) Calculation, amount from Figure 4-1 x (A)
- (C) Figure 4-2a
- (D) Calculation, (B) x (C)
- (E) Calculation, -7.65% x (D)
- (F) Figure 4-4a
- (G) Calculation, benefits percentage from Figure 4-3a x (D)
- (H) Calculation, (D) + (E) + (F) + (G)
- (I) Figure 4-5
- (J) Figure 4-6
- (K) Figure 4-7
- (L) Calculation, (H) x (I) x (J) x (K)
- (M) Figure 4-8a
- (N) Calculation, (L) + (M)
- (O) Figure 4-10
- (P) Calculation, (N) x (O)

Figure 4-13
Past Earning capacity for Jane Plaintiff: Post-Event

	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	
Year	Age	% of Year	Earnings in 2020 \$	Real Wage Growth	Past Wages	Less Soc. Sec. and Medicare	Less Income Taxes	Fringe Benefits	Net Earnings	Probability Alive	Probability Able to Work	Probability Employed	Adjusted Earnings	Adjusted Social Security	Total Past Value of Earning Capacity	Real Discount Factor	Present Value of Earning Capacity
2017	49	0.0%	\$0	100.00%	\$0	\$0	\$0	\$0	\$0	100.00%	99.65%	95.46%	\$0		\$0	100.00%	\$0
2018	50	5.8%	\$1,477	100.00%	\$1,477	(\$113)	\$0	\$263	\$1,627	100.00%	99.30%	96.49%	\$1,559		\$1,559	100.00%	\$1,559
2019	51	100.0%	\$25,780	100.00%	\$25,780	(\$1,972)	(\$1,436)	\$4,581	\$26,953	100.00%	98.94%	96.29%	\$25,677		\$25,677	100.00%	\$25,677
2020	52	14.7%	\$3,795	100.00%	\$3,795	(\$290)	(\$207)	\$674	\$3,972	99.56%	98.57%	95.89%	\$3,738		\$3,738	100.00%	\$3,738
Totals until date of trial:			\$31,052		\$31,052	(\$2,376)	(\$1,643)	\$5,518	\$32,552				\$30,974	\$0	\$30,974		\$30,974

Source: (A) 2018 calculated as fraction of year after return to work date on December 10. 2020 calculated as fraction of year before assumed trial date of February 24.

(B) Calculation, amount from Figure 4-1 without inflation adjustment x (A)

(C) Figure 4-2b

(D) Calculation, (B) x (C)

(E) Calculation, -7.65% x (D)

(F) Figure 4-4b

(G) Calculation, benefits percentage from Figure 4-3b x (D)

(H) Calculation, (D) + (E) + (F) + (G)

(I) Figure 4-5

(J) Figure 4-6

(K) Figure 4-7

(L) Calculation, (H) x (I) x (J) x (K)

(M) Figure 4-8b

(N) Calculation, (L) + (M)

(O) Figure 4-10

(P) Calculation, (N) x (O)

Figure 4-14
 Future Earning capacity for Jane Plaintiff: Post-Event

	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	
Year	Age	% of Year	Earnings in 2020 \$	Real Wage Growth	Future Wages	Less Soc. Sec. and Medicare	Less Income Taxes	Fringe Benefits	Net Earnings	Probability Alive	Probability Able to Work	Probability Employed	Adjusted Earnings	Adjusted Social Security	Total Future Value of Earning Capacity	Real Discount Factor	Present Value of Earning Capacity
2020	52	85.3%	\$21,984	100.00%	\$21,984	(\$1,682)	(\$1,408)	\$3,907	\$22,801	99.56%	98.57%	95.89%	\$21,456		\$21,456	100.00%	\$21,456
2021	53	100.0%	\$25,780	100.00%	\$25,780	(\$1,972)	(\$1,408)	\$4,581	\$26,981	99.08%	98.19%	95.49%	\$25,065		\$25,065	99.19%	\$24,861
2022	54	100.0%	\$25,780	100.00%	\$25,780	(\$1,972)	(\$1,408)	\$4,581	\$26,981	98.56%	97.81%	95.09%	\$24,731		\$24,731	98.38%	\$24,331
2023	55	100.0%	\$25,780	100.00%	\$25,780	(\$1,972)	(\$1,408)	\$4,581	\$26,981	97.99%	97.42%	95.41%	\$24,573		\$24,573	97.58%	\$23,980
2024	56	100.0%	\$25,780	100.00%	\$25,780	(\$1,972)	(\$1,408)	\$4,581	\$26,981	97.36%	97.02%	95.41%	\$24,317		\$24,317	96.79%	\$23,537
2025	57	100.0%	\$25,780	100.00%	\$25,780	(\$1,972)	(\$1,408)	\$4,581	\$26,981	96.69%	96.61%	95.41%	\$24,046		\$24,046	96.01%	\$23,086
2026	58	100.0%	\$25,780	100.00%	\$25,780	(\$1,972)	(\$1,408)	\$4,581	\$26,981	95.95%	96.20%	95.41%	\$23,762		\$23,762	95.23%	\$22,628
2027	59	100.0%	\$25,780	100.00%	\$25,780	(\$1,972)	(\$1,408)	\$4,581	\$26,981	95.17%	95.78%	95.41%	\$23,465		\$23,465	94.46%	\$22,164
2028	60	100.0%	\$25,780	100.00%	\$25,780	(\$1,972)	(\$1,408)	\$4,581	\$26,981	94.33%	95.35%	95.83%	\$23,256		\$23,256	93.69%	\$21,788
2029	61	100.0%	\$25,780	100.00%	\$25,780	(\$1,972)	(\$1,408)	\$4,581	\$26,981	93.44%	94.92%	95.83%	\$22,931		\$22,931	92.93%	\$21,310
2030	62	100.0%	\$25,780	100.00%	\$25,780	(\$1,972)	(\$1,408)	\$4,581	\$26,981	92.49%	94.47%	95.83%	\$22,593		\$22,593	92.17%	\$20,825
2031	63	100.0%	\$25,780	100.00%	\$25,780	(\$1,972)	(\$1,408)	\$4,581	\$26,981	91.49%	94.02%	95.83%	\$22,242		\$22,242	91.43%	\$20,335
2032	64	100.0%	\$25,780	100.00%	\$25,780	(\$1,972)	(\$1,408)	\$4,581	\$26,981	90.43%	93.57%	95.83%	\$21,877		\$21,877	90.68%	\$19,839
2033	65	100.0%	\$25,780	100.00%	\$25,780	(\$1,972)	(\$1,216)	\$4,581	\$27,173	89.31%	93.10%	94.64%	\$21,382		\$21,382	89.95%	\$19,233
2034	66	100.0%	\$25,780	100.00%	\$25,780	(\$1,972)	(\$1,216)	\$4,581	\$27,173	88.13%	92.63%	94.64%	\$20,992		\$20,992	89.22%	\$18,729
2035	67	16.7%	\$4,297	100.00%	\$4,297	(\$329)	\$0	\$764	\$4,731	86.88%	92.15%	94.64%	\$3,585	\$9,287	\$12,872	88.49%	\$11,391
2036	68												\$10,976	\$10,976	\$10,976	87.78%	\$9,634
2037	69												\$10,799	\$10,799	\$10,799	87.06%	\$9,402
2038	70												\$10,614	\$10,614	\$10,614	86.36%	\$9,166
2039	71												\$10,421	\$10,421	\$10,421	85.66%	\$8,926
2040	72												\$10,220	\$10,220	\$10,220	84.96%	\$8,683
2041	73												\$10,009	\$10,009	\$10,009	84.27%	\$8,435
2042	74												\$9,782	\$9,782	\$9,782	83.59%	\$8,177
2043	75												\$9,541	\$9,541	\$9,541	82.91%	\$7,910
2044	76												\$9,284	\$9,284	\$9,284	82.24%	\$7,634
2045	77												\$9,009	\$9,009	\$9,009	81.57%	\$7,348
2046	78												\$8,719	\$8,719	\$8,719	80.91%	\$7,055
2047	79												\$8,408	\$8,408	\$8,408	80.25%	\$6,748
2048	80												\$8,079	\$8,079	\$8,079	79.60%	\$6,431
2049	81												\$7,736	\$7,736	\$7,736	78.95%	\$6,108
2050	82												\$7,373	\$7,373	\$7,373	78.31%	\$5,774
2051	83												\$6,994	\$6,994	\$6,994	77.68%	\$5,433
2052	84												\$6,603	\$6,603	\$6,603	77.05%	\$5,087
2053	85												\$6,197	\$6,197	\$6,197	76.42%	\$4,736
2054	86												\$5,777	\$5,777	\$5,777	75.80%	\$4,379
2055	87												\$5,350	\$5,350	\$5,350	75.19%	\$4,023
2056	88												\$4,913	\$4,913	\$4,913	74.57%	\$3,664
2057	89												\$4,468	\$4,468	\$4,468	73.97%	\$3,305
2058	90												\$4,021	\$4,021	\$4,021	73.37%	\$2,950
2059	91												\$3,577	\$3,577	\$3,577	72.77%	\$2,603
2060	92												\$3,142	\$3,142	\$3,142	72.18%	\$2,268
2061	93												\$2,722	\$2,722	\$2,722	71.60%	\$1,949
2062	94												\$2,323	\$2,323	\$2,323	71.02%	\$1,650

**Figure 4-14
Future Earning capacity for Jane Plaintiff: Post-Event**

	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	
Year	Age	% of Year	Earnings in 2020 \$	Real Wage Growth	Future Wages	Less Soc. Sec. and Medicare	Less Income Taxes	Fringe Benefits	Net Earnings	Probability Alive	Probability Able to Work	Probability Employed	Adjusted Earnings	Adjusted Social Security	Total Future Value of Earning Capacity	Real Discount Factor	Present Value of Earning Capacity
2063	95												\$1,950	\$1,950	70.44%	\$1,374	
2064	96												\$1,609	\$1,609	69.87%	\$1,124	
2065	97												\$1,303	\$1,303	69.30%	\$903	
2066	98												\$1,033	\$1,033	68.74%	\$710	
2067	99												\$802	\$802	68.18%	\$547	
2068	100												\$51	\$51	67.63%	\$34	
Totals from date of trial:			\$387,199		\$387,199	(\$29,621)	(\$20,737)	\$68,806	\$405,647				\$350,272	\$213,092	\$563,365		\$503,660
Grand Totals:			\$418,251		\$418,251	(\$31,996)	(\$22,380)	\$74,324	\$438,199				\$381,246	\$213,092	\$594,338		\$534,634

Source: (A) 2020 calculated as fraction of year after trial date on February 24. 2035 calculated as fraction of year before assumed retirement on March 1.

- (B) Calculation, amount from Figure 4-1 x (A)
- (C) Figure 4-2b
- (D) Calculation, (B) x (C)
- (E) Calculation, -7.65% x (D)
- (F) Figure 4-4b
- (G) Calculation, benefits percentage from Figure 4-3b x (D)
- (H) Calculation, (D) + (E) + (F) + (G)
- (I) Figure 4-5
- (J) Figure 4-6
- (K) Figure 4-7
- (L) Calculation, (H) x (I) x (J) x (K)
- (M) Figure 4-8b
- (N) Calculation, (L) + (M)
- (O) Figure 4-10
- (P) Calculation, (N) x (O)

Attachment 5

The Dictionary of Occupational Titles (“DOT”) was developed in response to the need for standardized job descriptions to support job placement activities. The DOT also classifies occupations by physical demand category including sedentary, light, medium, heavy and very heavy. These categories are defined as follows:

Sedentary Work

Exerting up to 10 pounds of force occasionally (Occasionally: activity or condition exists up to 1/3 of the time) and/or a negligible amount of force frequently (Frequently: activity or condition exists from 1/3 to 2/3 of the time) to lift, carry, push, pull, or otherwise move objects, including the human body. Sedentary work involves sitting most of the time, but may involve walking or standing for brief periods of time. Jobs are sedentary if walking and standing are required only occasionally and all other sedentary criteria are met.

Light Work

Exerting up to 20 pounds of force occasionally, and/or up to 10 pounds of force frequently, and/or a negligible amount of force constantly (Constantly: activity or condition exists 2/3 or more of the time) to move objects. Physical demand requirements are in excess of those for Sedentary Work. Even though the weight lifted may be only a negligible amount, a job should be rated Light Work: (1) when it requires walking or standing to a significant degree; or (2) when it requires sitting most of the time but entails pushing and/or pulling of arm or leg controls; and/or (3) when the job requires working at a production rate pace entailing the constant pushing and/or pulling of materials even though the weight of those materials is negligible. NOTE: The constant stress and strain of maintaining a production rate pace, especially in an industrial setting, can be and is physically demanding of a worker even though the amount of force exerted is negligible.

Medium Work

Exerting 20 to 50 pounds of force occasionally, and/or 10 to 25 pounds of force frequently, and/or greater than negligible up to 10 pounds of force constantly to move objects. Physical Demand requirements are in excess of those for Light Work.

Heavy Work

Exerting 50 to 100 pounds of force occasionally, and/or 25 to 50 pounds of force frequently, and/or 10 to 20 pounds of force constantly to move objects. Physical Demand requirements are in excess of those for Medium Work.

Very Heavy Work

Exerting in excess of 100 pounds of force occasionally, and/or in excess of 50 pounds of force frequently, and/or in excess of 20 pounds of force constantly to move objects. Physical Demand requirements are in excess of those for Heavy Work.

Attachment 6



Transferable Skills Service

Report produced from SkillTRAN Online Services - 06/05/19 by SkillTRAN LLC - www.skilltran.com

Name: Jane Plaintiff

CLIENT DATA

Jane Plaintiff

City TX 00000

DOB: 02-10-1968

Date of Maximum Medical Improvement: 10-03-2018

Labor Market Area

Commuting Range: 35 miles from Zip Code 00000

County: COUNTY

MSA: Anytown, TX

WORK HISTORY

DOT Code	DOT Title	Strength	SVP	Years	Months	CWF
900.683-010	Concrete-Mixing-Truck Driver	M	3	15	0	
902.683-010	Dump-Truck Driver	M	2	5	0	
211.462-014	Cashier-Checker	L	3	0	6	
323.687-014	Cleaner, Housekeeping	L	2	0	6	
922.687-058	Laborer, Stores	M	2	1	0	
355.674-010	Child-Care Attendant, School	M	2	5	0	

ABILITY PROFILE

Strength	From Work History	Adjusted Ability
Maximum	M - Medium	S - Sedentary - L - Light

Physical Demands	From Work History	Adjusted Ability
Posture		
CL - Climbing	Occasional	Never - Occasional
BA - Balancing	Never	No Limit
ST - Stoop/Bending	Frequent	Never - Occasional
KN - Kneeling	Occasional	Never - Occasional
CR - Crouching	Frequent	Never - Occasional
CW - Crawling	Never	Never - Occasional
Manipulation		
RE - Reaching	Constant	Never - Occasional
HA - Handling	Constant	No Limit
FI - Fingering	Constant	No Limit
Tactile/Communication		

Physical Demands	From Work History	Adjusted Ability
FE - Feeling	Occasional	No Limit
TA - Talking	Frequent	No Limit
HE - Hearing	Frequent	No Limit
TS - Tasting/Smelling	Never	No Limit
Vision		
NE - Near Acuity	Frequent	No Limit
FA - Far Acuity	Frequent	No Limit
DE - Depth Perception	Frequent	No Limit
AC - Accommodation	Occasional	No Limit
CV - Color Vision	Frequent	No Limit
FV - Field of Vision	Frequent	No Limit

Environmental Conditions	From Work History	Adjusted Ability
Exposure to Work Settings:		
WE - Exposure to Weather	Occasional	No Limit
CO - Extreme Cold (non-weather)	Never	No Limit
HO - Extreme Heat (non-weather)	Never	No Limit
WT - Wet and/or Humid (non-weather)	Occasional	No Limit
NO - Noise Intensity	Loud	No Limit
VI - Vibration	Never	No Limit
AT - Atmospheric Conditions (Fumes, dust, odors)	Never	No Limit
Hazardous Conditions:		
MV - Proximity to Moving Mechanical Parts	Never	No Limit
EL - Exposure to Electrical Shock	Never	No Limit
HI - Working in High Exposed Places	Never	No Limit
RA - Exposure to Radiation	Never	No Limit
EX - Working with Explosives	Never	No Limit
TX - Exposure to Toxic or Caustic Chemicals	Never	No Limit
OT - Other Environmental Conditions	Never	No Limit

General Education Development	From Work History	Adjusted Ability
R - Reasoning	3 (Grade 7-8)	No Limit
M - Math	2 (Grade 4-6)	No Limit
L - Language	2 (Grade 4-6)	No Limit

Specific Vocational Preparation	From Work History	Adjusted Ability
SVP	3 (30 Days to 3 Months)	1 (Short Demo Only) - 9 (Over 10 Years)

Aptitudes	From Work History	Adjusted Ability
Cognition		
G - General Learning Ability	3 (Average)	No Limit
V - Verbal	3 (Average)	No Limit
N - Numerical	3 (Average)	No Limit
Perception		
S - Spatial Perception	3 (Average)	No Limit
P - Form Perception	4 (Below Average)	No Limit
Q - Clerical Perception	3 (Average)	No Limit
C - Color Discrimination	4 (Below Average)	No Limit
Dexterity		

Aptitudes	From Work History	Adjusted Ability
K - Motor Coordination	2 (Above Average)	No Limit
F - Finger Dexterity	3 (Average)	No Limit
M - Manual Dexterity	3 (Average)	No Limit
E - Eye-Hand-Foot Coordination	3 (Average)	No Limit

Work Situations / Temperaments	From Work History	Adjusted Ability
People Situations		
D - Directing, Controlling, Planning		
I - Influencing Opinions, Attitudes, Judgments		
E - Expressing Personal Feelings		
A - Working Alone or Apart from Others		
U - Working Under Specific Instructions	In Work History	
P - Dealing with People	In Work History	
Performance Situations		
R - Repetitive or Short Cycle Work	In Work History	
V - Variety of Work Activities	In Work History	
S - Performing Effectively Under Stress		
T - Attaining Precise Set Limits, Tolerances, and Standards	In Work History	
J - Making Judgments and Decisions	In Work History	

Worker Functions Demonstrated

D - Data	P - People	T - Things
4 - Computing	6 - Speaking-Signaling	2 - Operating-Controlling
6 - Comparing	7 - Serving	3 - Driving-Operating
	8 - Taking Instructions/Helping	4 - Manipulating
		7 - Handling

Worker Functions Excluded

D - Data	P - People	T - Things
	3 - Supervising	

OGA Code	Occupational Group Arrangement (OGA)
211	Cashiers and Tellers
323	Housecleaners, Hotels, Restaurants, & Related Establishments
355	Attendants, Hospitals/Morgues/Related Health Services
900	Concrete-Mixing-Truck Drivers
902	Dump-Truck Drivers
922	Moving and Storing Materials and Products, NEC

SOC Code	Standard Occupational Classification (SOC)
37-2012	Maids and Housekeeping Cleaners
39-9011	Childcare Workers
41-2011	Cashiers
51-9198	Helpers--Production Workers
53-3032	Heavy and Tractor-Trailer Truck Drivers

GOE Code	Guide for Occupational Exploration (GOE)
05.08.01	TRUCK DRIVING
05.08.03	SERVICES REQUIRING DRIVING
05.09.01	SHIPPING,RECEIVING,AND STOCK CHECKING
05.12.18	CLEANING AND MAINTENANCE

GOE Code	Guide for Occupational Exploration (GOE)
07.03.01	PAYING AND RECEIVING
10.03.03	CARE OF OTHERS

DIC Code	DOT Industry Classification Designation (DIC)
138	ANY INDUSTRY (Many industries)
271	CONSTRUCTION
674	PERSONAL SERVICE
741	RETAIL TRADE

SPECIAL NOTES

- For search purposes, unadjusted physical and environmental conditions are assumed to be unlimited and are therefore excluded in searches.
- Average Aptitudes assume a minimum middle third of the scales. No superior or above average values are reduced.
- Completion of regular High School assumes minimum of GED - RML = 333 and minimum average aptitudes.
- Lack of experience, unwillingness, or inability to supervise others excludes occupations from searches with a DPT - People Code = Supervising.

SKILL TRANSFER COMPONENTS

Work Fields

Code	Title	SVP
011	Material Moving	2
013	Transporting	2
031	Cleaning	2
143	Mixing	3
221	Stock Checking	2
232	Numerical Recording-Record Keeping	3
291	Accommodating	2

Components of Combination Work Fields

Code	Title	SVP
No Combination Work Fields		

MPSMS

Code	Title	SVP
536	Concrete, Gypsum, and Plaster Products	3
853	Motor Freight Transportation and Warehousing	2
881	Retail Trade	3
898	Production Services	2
902	Lodging Services	2
926	Medical Assistant, Aide, Attendant Services	2

LIST OF SELECTED DOT OCCUPATIONS

Generally - Good: Similar Work Fields and Similar MPSMS

17 Matches for the search of: Strength: Sedentary Work through Light Work

Climbing: Not Present through Occasionally	Stooping: Not Present through Occasionally	Kneeling: Not Present through Occasionally	Crouching: Not Present through Occasionally
Crawling: Not Present through Occasionally	Reaching: Not Present through Occasionally	People Worker Functions Not Including: 3 - Supervising	

DOT	Title	Industry	SVP	Strength	O*NET	Search Method	
215.362-022	TIMEKEEPER	CLERICAL AND KINDRED	3	S	43-3051.00	1-DIRECT	-
203.582-066	TYPIST	CLERICAL AND KINDRED	3	S	43-9022.00	2-GOOD	-
221.667-010	WORK-TICKET DISTRIBUTOR	KNITTING	2	L	43-5061.00	2-GOOD	-
237.367-014	CALL-OUT OPERATOR	BUSINESS SERVICES	2	S	43-4041.02	2-GOOD	-
241.367-038	INVESTIGATOR, DEALER ACCOUNTS	FINANCIAL INSTITUTIONS	2	L	43-4199.00	2-GOOD	-
249.366-010	COUNTER CLERK	PHOTOFINISHING	2	L	41-2021.00	2-GOOD	-
249.367-018	CHARTER	AMUSEMENT AND RECREATION	3	S	43-9061.00	2-GOOD	-
295.357-018	FURNITURE-RENTAL CONSULTANT	RETAIL TRADE	2	L	41-2021.00	2-GOOD	-
299.647-010	IMPERSONATOR, CHARACTER	ANY INDUSTRY	2	L	41-9012.00	2-GOOD	-
299.687-014	SANDWICH-BOARD CARRIER	ANY INDUSTRY	1	L	41-9011.00	2-GOOD	-
352.667-014	PARLOR CHAPERONE	HOTEL AND RESTAURANT	2	L	39-9099.00	2-GOOD	-
359.367-010	ESCORT	PERSONAL SERVICE	2	L	39-9099.00	2-GOOD	-
359.567-014	TANNING SALON ATTENDANT	PERSONAL SERVICE	2	L	39-3093.00	2-GOOD	-
359.677-030	RESEARCH SUBJECT	ANY INDUSTRY	1	L	39-9099.00	2-GOOD	-
579.685-034	NODULIZER	CEMENT	3	L	51-9051.00	2-GOOD	-
910.667-022	PERISHABLE-FREIGHT INSPECTOR	RAILROAD TRANSPORTATION	3	L	53-6051.08	2-GOOD	-
976.682-022	MICROFILM-CAMERA OPERATOR	BUSINESS SERVICES	3	L	43-9199.00	2-GOOD	-

DATA SOURCES

Source	Publication	Year	Web Link
U.S. Dept. of Labor	Revised 4th Edition of the Dictionary of Occupational Titles	1991	
U.S. Dept. of Labor	Errata corrections and subsequent revisions to the DOT	1992-1998	www.skilltran.com/index.php/support-area/documentation/161-dot-changes
U.S. Dept. of Labor	Revised Handbook for Analyzing Jobs	1991	www.skilltran.com/index.php/support-area/documentation/1991rhaj
U.S. Dept. of Labor - Bureau of Labor Statistics	Standard Occupational Classification (SOC)	2010	Standard Occupational Classification
U.S. Dept. of Labor - Bureau of Labor Statistics	Occupational Employment Survey (OES)	May 2018	Occupational Employment Survey
U.S. Dept. of Labor - Employment and Training Administration	O*NET Online (O*NET)	Current	O*NET Online
U.S. Dept. of Labor - Bureau of Labor Statistics	Employment Projections - National	October 2017 for	Employment Projections

		2016 --> 2026	
U.S. Dept. of Labor - Bureau of Labor Statistics	Employment Projections - State/SubState	Various	Employment Projections - State/SubState and various state-specific projections sites
U.S. Dept. of Labor	Labor Force Statistics from the Current Population Survey (CPS)	Current	Current Population Survey
U.S. Dept. of Education - Institute of Education Sciences - National Center for Education Statistics	College Navigator	Current	College Navigator
U.S. Dept. of Labor	Occupational Outlook Handbook (OOH)	Current	Occupational Outlook Handbook
U.S. Dept. of Labor	Current Employment Statistics (CES)	Current	Current Employment Statistics
U.S. Dept. of Census	County Business Patterns (CBP)	2016	County Business Patterns - Documentation
U.S. Dept. of Census	North American Industry Classification System (NAICS)	2012	North American Industry Classification System
SkillTRAN LLC	Various Alternate Titles Contributed by SkillTRAN Staff and Customers	1982-present	SkillTRAN Data Resources
SkillTRAN LLC	Proprietary Crosswalk between NAICS and DOT	1985-present	SkillTRAN Data Resources

Attachment 7

CareerScope[®]

Summary Report

Date of Report: 5/23/19

Jane Plaintiff

Jane.Plaintiff

Date of Interest Administration: 5/8/19

Date of Aptitude Administration: 5/8/19

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INTEREST RESULTS

The table below reports and displays the percentage of "LIKE" responses that you recorded for each of the twelve Interest Areas. The dark vertical line in the chart is your average percentage of "LIKE" responses (15%) across all twelve Interest Areas.

Interest Area	% Like
01 Artistic	14
02 Scientific	15
03 Plants/Animals	9
04 Protective	17
05 Mechanical	17
06 Industrial	8
07 Business Detail	17
08 Selling	10
09 Accommodating	10
10 Humanitarian	27
11 Leading/Influencing	0
12 Physical Performing	40

The following Interest Areas, listed in order of your preference, stand out significantly above your average level of interest:
Physical Performing, Humanitarian

APTITUDE RESULTS

The graph below reports and displays your aptitudes as standard scores and as percentile scores. An aptitude score of 100 is exactly average. Scores between 80 and 120 can be thought of as "in the average range." Percentile (%tile) scores report the percentage of people who score below you. The graph displays your relative strengths.

Aptitude	Score	%tile
General Learning	70	7
Verbal Aptitude	84	21
Numerical Aptitude	65	4
Spatial Aptitude	80	16
Form Perception	117	80
Clerical Perception	113	74
Motor Coordination	63	3
Finger Dexterity	63	3
Manual Dexterity	60	2

--- Score can not be calculated

•Your aptitude profile may include Motor Coordination, Finger Dexterity and Manual Dexterity scores. The sources of these scores are listed below. If "Counselor" is listed as the source of information, an assumption has been made regarding the score. If "None" is listed as the source, the performance factor will not be considered when making Work Group recommendations. Motor Coordination: Counselor; Finger Dexterity: Counselor; Manual Dexterity: Counselor.

RECOMMENDATIONS

The world of work has been divided into Interest Areas. These areas are further divided into Work Groups based upon aptitude requirements. 59 Work Groups are listed in the table below. When a number appears in the "I" column, it means the Work Group falls within one of your significant interest areas (1 = most preferred). When a symbol appears in the "A" column, it means that your aptitude scores qualify you for that Work Group. (You can be even more confident that you qualify for a Work Group when it is marked with a • symbol.)

Work Group	I	A
01.01 Literary Arts		
01.02 Visual Arts		
01.03 Performing Arts: Drama		
01.04 Performing Arts: Music		
01.05 Performing Arts: Dance		
01.06 Craft Arts		
02.01 Physical Sciences		
02.02 Life Sciences		
02.03 Medical Sciences		
02.04 Laboratory Technology		
03.01 Mgr Work: Plants/Animals		
03.03 Animal Training & Service		
03.04 Elem Work: Plants/Animals		
04.01 Safety & Law Enforcement		
04.02 Security Services		
05.01 Engineering		
05.02 Mgr Work: Mechanical		
05.03 Engineering Technology		
05.04 Air/Water Vehicle Operation		
05.05 Craft Technology		

Work Group	I	A
05.07 Quality Control		
05.08 Land/Motor Vehicle Operation		
05.09 Materials Control		
05.10 Crafts		
05.11 Equipment Operation		
05.12 Elemental Work: Mechanical		
06.01 Production Technology		
06.02 Production Work		
06.03 Quality Control		
06.04 Elemental Work: Industrial		
07.01 Administrative Detail		
07.02 Mathematical Detail		
07.03 Financial Detail		
07.04 Oral Communications		
07.05 Records Processing		
07.06 Clerical Machine Operation		
07.07 Clerical Handling		
08.01 Sales Technology		
08.02 General Sales		
08.03 Vending		

Work Group	I	A
09.01 Hospitality Services		
09.02 Barber & Beauty Services		
09.03 Passenger Services		
09.05 Attendant Services		
10.01 Social Services	2	
10.02 Nursing, Therapy & Specialized	2	
10.03 Child & Adult Care	2	
11.01 Mathematics & Statistics		
11.02 Educational & Library Svcs		
11.03 Social Research		
11.04 Law		
11.05 Business Administration		
11.06 Finance		
11.07 Services Administration		
11.08 Communications		
11.09 Promotion		
11.10 Regulations Enforcement		
11.11 Business Management		
11.12 Contracts & Claims		

Jane Plaintiff

5/8/19

INTEREST AREAS

Occupations have been divided into twelve broad interest areas. The CareerScope Interest Inventory contains items that describe work activities from these Interest Areas. The table below explains the Interest Areas and lists some of the fastest-growing occupations within each area.

<u>Interest Area</u>	<u>Definition</u>	<u>Occupational Examples</u>
01 Artistic	An interest in creative expression of feeling or ideas through literary arts, visual arts, performing arts, or crafts.	Writer, Painter, Actor, Editor, Dancer, Singer, Graphic Designer, Set Designer
02 Scientific	An interest in discovering, collecting, and analyzing information about the natural world and applying scientific research findings to problems in medicine, the life sciences, and the natural sciences.	Physician, Audiologist, Veterinarian, Biologist, Chemist, Speech Pathologist, Laboratory Technician
03 Plants/Animals	An interest in activities involving plants and animals, usually in an outdoor setting.	Gardener, Animal Groomer, Landscaper, Forester, Animal Caretaker
04 Protective	An interest in using authority to protect people and property.	Police Officer, Private Investigator, Security Guard, Bodyguard, Park Ranger, Correctional Officer
05 Mechanical	An interest in applying mechanical principles to practical situations using machines, hand-tools, or techniques to produce, build, or repair things.	Electrical Engineer, Architect, Carpenter, Chef, Mechanic, Ambulance Driver, Project Engineer, Computer Equipment Repairer
06 Industrial	An interest in repetitive, concrete, organized activities in a factory setting.	Machinist, Dry Cleaner, Baker, Welder, Laborer, Lathe Operator, Hand Packager
07 Business Detail	An interest in organized, clearly defined activities requiring accuracy and attention to details, primarily in an office setting.	Bill Collector, Secretary, Receptionist, Customer Service Representative, Health Information Technician
08 Selling	An interest in bringing others to a point of view by personal persuasion, using sales and promotional techniques.	Sales Representative, Stadium Vendor, Clothing Salesperson, Telephone Solicitor, Financial Planner, Travel Agent
09 Accommodating	An interest in catering to the wishes and needs of others, usually on a one-to-one basis, through hospitality and service work.	Manicurist, Restaurant Host, Waiter, Waitress, Personal Shopper, Flight Attendant
10 Humanitarian	An interest in helping individuals with their mental, social, spiritual, physical and vocational concerns, through medical or social services, therapy, or nursing.	Home Care Aide, Physical Therapist, Nurse, Medical Assistant, Child Care Worker, Dental Hygienist, Counselor, Probation Officer
11 Leading/Influencing	An interest in leading and influencing others by using high-level verbal or numerical abilities in business, education, research, or management positions.	Database Administrator, Paralegal, Teacher, Computer Engineer, Lawyer, Stock Broker, Computer Programmer
12 Physical Performing	An interest in physical activities performed before an audience, such as sports or daring physical feats.	Athlete, Coach, Movie Stunt Performer, Juggler, Sports Instructor

Jane Plaintiff

5/8/19

APTITUDES

Different combinations of aptitudes are important for different occupations. The table below lists the aptitudes that are measured by CareerScope, and provides general examples and specific job tasks that require these aptitudes.

<u>Aptitude</u>	<u>Definition</u>	<u>Specific Job Tasks</u>	<u>CareerScope Tasks</u>
General Learning G	The ability to "catch on" or understand instructions and underlying principles; ability to reason and make judgements. Closely related to doing well in school. <u>Examples</u> Use logic or scientific facts to define problems and draw conclusions; make decisions and judgements; plan and supervise the work of others.	Diagnose and treat illnesses or injuries; use facts to solve a crime; plan the layout of a computer network; inspect and test engine parts.	Pattern Visualization, Numerical Reasoning, Word Meanings
Verbal Aptitude V	The ability to understand the meaning of words and to use them effectively; ability to comprehend language, to understand relationships between words, and to understand the meanings of whole sentences and paragraphs. <u>Examples</u> Understand oral or written instructions or guidelines; understand and use training materials; use work-related reference materials.	Write a novel; interview guests on a radio talk show; edit newspaper articles for publication; write captions for magazine photos; take notes during class.	Word Meanings
Numerical Aptitude N	The ability to perform arithmetic operations quickly and accurately. <u>Examples</u> Make accurate numeric measurements; make change from currency; lay out geometric patterns.	Analyze statistical data; develop budgets for an organization; measure wall openings to fit and install windows; add lists of numbers.	Computation, Numerical Reasoning
Spatial Aptitude S	The ability to think visually of geometric forms and to comprehend the two-dimensional representation of three-dimensional objects; ability to recognize the relationships resulting from the movement of objects in space. <u>Examples</u> Lay out or position objects; observe and comprehend the movements of objects; understand the effects of physical stresses on objects.	Design layouts for new highway systems; create diagrams of wiring systems in buildings; use patterns to make clothing; operate a forklift; use a floor plan to find an office.	Pattern Visualization
Form Perception P	The ability to perceive detail in objects or in pictorial or graphic material; ability to make visual comparisons and discriminations and see slight differences in shapes and shadings of figures and widths and lengths of lines. <u>Examples</u> Inspect objects for flaws or scratches; determine whether patterns are the same; observe color, texture, and size of objects.	Examine and compare cells under a microscope; check temperature gauges on machinery; inspect parts on an assembly line; sort merchandise by size.	Object Identification, Abstract Shape Matching
Clerical Perception Q	The ability to perceive pertinent detail in verbal or tabular material; ability to observe differences in copy, to proofread words and numbers, and to avoid perceptual errors in arithmetic computation. <u>Examples</u> Check work orders and specifications for errors.	Proofread manuscripts for typographical errors; keep inventory records; sort mail according to zip code; operate a cash register.	Clerical Matching
Motor Coordination K	The ability to coordinate eyes and hands or fingers rapidly and accurately in making precise movements with speed. <u>Examples</u> Guide objects into position; make quick and accurate movements.	Add objects to a moving assembly belt; distribute handbills to passers-by.	CareerScope does not directly measure these aptitudes. However, based upon your use of the computer mouse, it is assumed that your scores are at least average. Your counselor may choose to directly assess these aptitudes and report your actual scores.
Finger Dexterity F	The ability to move the fingers and manipulate small objects with the fingers rapidly or accurately. <u>Examples</u> Grasp and manipulate small objects; make fine adjustments to machinery; play a musical instrument.	Repair a watch; play the piano; replace eyeglass screws; put coins in a parking meter.	
Manual Dexterity M	The ability to move the hands easily and skillfully; ability to work with the hands in placing and turning motions. <u>Examples</u> Move, stack, turn, or place objects; make coordinated movements of the arms and hands.	Stack bricks to construct a wall; pack oranges into crates; position dolls in a toy store window display.	