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## **Personal Injury Losses**

Here is the listing of materials I consider helpful in the economic analysis of personal injury losses. Highest priority items are marked with an asterisk \*.

- \*If litigation has begun, a copy of the scheduling order.
- Copies of any stipulations regarding discovery.
- Copies of the complaint and answer, together with any amendments.
- \*A complete resumé for the plaintiff showing birth date, education and employment, including pay rates, the beginning and ending dates for each job, and the reason for leaving each job.
- \*Plaintiff's federal income tax returns and supporting schedules from seven or more years preceding the year in which the plaintiff was injured through the most recently filed return. If these include joint returns, it is important to obtain copies of W-2 and 1099 (misc. income) statements or other documentation *sufficient to allocate all income between the joint filers*.
- \*If not included with the above, a complete accounting of all income earned or collected since the injury. This should include the amount of income from each source of the income, by year. Including copies of W-2 and 1099 (misc. income) statements, if available.
- In cases where complete historical tax return information is unavailable, Social Security Administration certified account statements can be helpful. Due to possible delay in obtaining a response from SSA, this statement should be requested at the earliest possible date.
- \*Copies of performance evaluations prepared by employers with respect to the plaintiff, and papers documenting hiring, discharge, and other changes in plaintiffs' work status during the same seven-year period, and up to the present.

- A signed release authorizing me to review plaintiff's retirement accounts held by his or her employer.
- Documentation of plaintiff's retirement accounts (including SBS, deferred compensation, 409k or other savings plans), even if he or she withdrew the contributions.
- \*Medical, occupational and rehabilitation evaluations related to the effect of the injuries on plaintiff's ability to work and carry out normal daily activities (eating, dressing, etc.)
- Information on ongoing or future medical expenses, including any life care evaluations.
- \*Information on other medical conditions likely to affect future earning ability or life expectancy (for example, HIV infection, diabetes, or alcoholism).
- \*Information on any history of tobacco use within the past five years.
- \*A copies of the plaintiff's deposition if it has been taken, and documents generated on either side as a result of discovery that might bear on future earnings had he or she not been wrongfully terminated, or earnings from other sources after the termination.
- If the uninjured spouse or other person lost work time and earnings while caring for injured, provided documentation of loss.

Don't be dismayed if you can't get everything. Rarely is that possible. But be sure to make a real effort to pull together what you can, and don't delay sending what you have while you wait for something missing to be found.

After I review the written material, I may wish to arrange an interview with the plaintiff.