

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

No. 08-556 V

Filed: March 30, 2012

Not for Publication

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ANNMARIE MONTGOMERY, \*  
parent and legal representative of \*  
CARTER MONTGOMERY, a minor, \*

Petitioner, \*

Damages Decision  
Based on Proffer

v. \*

SECRETARY OF HEALTH \*  
AND HUMAN SERVICES, \*

Respondent. \*

\*\*\*\*\*

Joel H. Lichtenstein, Bridgeport, CT, for petitioner.  
Traci R. Patton, Washington, DC, for respondent.

**MILLMAN, Special Master**

### **DECISION AWARDING DAMAGES<sup>1</sup>**

On March 30, 2012, respondent filed a Proffer on Award of Compensation. Also on March 30, 2012, petitioner's counsel contacted the undersigned's law clerk and stated that petitioner accepts respondent's Proffer. Based on the record as a whole, the special master finds that petitioner is entitled to the award as stated in the Proffer. Pursuant to the terms in the attached Proffer, the court awards petitioner:

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

- a. A lump sum payment of **\$315,177.00**, representing compensation for life care expenses for Year 1 (\$95,177.00) and the net present value of a portion of the expenses for Year 2075 (\$220,000.00). The award shall be in the form of a check payable to First Capital Surety & Trust Company for the benefit of the Carter Montgomery U.S. Grantor Reversionary Trust.
- b. A lump sum payment of **\$5,500.00**, representing compensation for past unreimbursed expenses. The award shall be in the form of a check payable to petitioner.
- c. A lump sum payment of **\$180,000.00**, representing compensation for past and future pain and suffering. The award shall be in the form of a check payable to the Conservator(s) of the Estate of Carter Montgomery.
- d. An amount sufficient to purchase an annuity contract described in section II.D. of the attached Proffer.

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

**IT IS SO ORDERED.**

Dated: March 30, 2012

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

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



Tab A.<sup>1</sup> Respondent proffers that Carter Montgomery should be awarded all items of compensation set forth in the life care plan and illustrated by the chart attached at Tab A. Petitioner agrees.

Respondent further proffers that the appropriate growth rate for life care items of compensation should be four (4%), compounded annually from the date of judgment, as set forth in Tab B: Annuity Funding Portfolio. Petitioner agrees.

B. Lost Future Earnings

The parties agree that based upon the evidence in the record, Carter Montgomery will likely be gainfully employed. Therefore, respondent proffers that Carter Montgomery is not entitled to receive lost future earnings as provided for under the Vaccine Act, 42 U.S.C. §300aa-15(a)(3)(A). Petitioner agrees.

C. Pain and Suffering

Respondent proffers that Carter Montgomery should be awarded \$180,000.00 in actual and projected pain and suffering. This amount reflects that the award for projected pain and suffering has been reduced to net present value. See 42 U.S.C. § 300aa-15(a)(4). Petitioner agrees.

D. Past Unreimbursed Expenses

Evidence supplied by petitioner documents her expenditure of past unreimbursable expenses related to Carter Montgomery's vaccine-related injury. Respondent proffers that petitioner is entitled to past un-reimbursed expenses in the amount of \$5,500.00. Petitioner agrees.

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<sup>1</sup> The chart at Tab A illustrates the annual benefits provided by the life care plan. The annual benefit years run from the date of judgment up to the first anniversary of the date of judgment, and every year thereafter up to the anniversary of the date of judgment.

E. Medicaid Lien

Petitioner represents that no Medicaid benefits were ever received for Carter's medical care.

**II. FORM OF THE AWARD**

The parties recommend that the compensation provided to Carter Montgomery for his future medical care needs should be made to a U.S. Grantor Reversionary Trust established for the benefit of Carter Montgomery with payments made to the Trust through a combination of a one time cash payment, annuity lump sum payments and future annuity payments as described below, and request that the special master's decision and the Court's judgment reflect the following items of compensation.

Respondent proffers and Petitioner agrees that an award of compensation include the following elements:

A. A lump sum payment of \$95,177.00, representing life care expenses for Year 1 and \$220,000.00, representing the net present value of a portion of the expenses for Year 2075 (\$302,714.00) shall be awarded in the form of a check payable to First Capital Surety & Trust Company for the benefit of the Carter Montgomery U. S. Grantor Reversionary Trust.

B. A lump sum payment of \$5,500.00, representing compensation for past un-reimbursed expenses shall be awarded in the form of a check payable to Petitioner.

C. A lump sum in the amount of \$180,000.00, representing compensation for past and future pain and suffering, shall be awarded in the form of a check payable to the Conservator(s) of the Estate of Carter Montgomery.

D. An amount sufficient to purchase an annuity contract,<sup>2</sup> subject to the conditions described below, that will provide payments for the items contained in the life care plan as illustrated by Tab B, attached hereto, paid to the life insurance company<sup>3</sup> from which the annuity will be purchased.<sup>4</sup> Compensation for Year Two (beginning on the first anniversary of the date of judgment) and all subsequent payments shall be provided through respondent's purchase of an annuity, which annuity will make payments directly to the Carter Montgomery U. S. Grantor Reversionary Trust, only so long as Carter Montgomery is alive at the time a particular payment is due. Payments will be provided to the Trust in annual or other installments. The "annual amounts" set forth in Tab B describe the total yearly sum to be paid to the Trust and do not require that the payment be made in one single payment.

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<sup>2</sup> In respondent's discretion, respondent may purchase one or more annuity contracts from one or more life insurance companies.

<sup>3</sup> The Life Insurance Company must have a minimum of \$250,000,000 capital and surplus, exclusive of any mandatory security valuation reserve. The Life Insurance Company must have one of the following ratings from two of the following rating organizations:

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

<sup>4</sup> Petitioner authorizes the disclosure of certain documents filed by the petitioner in this case consistent with the Privacy Act and the routine uses described in the National Vaccine Injury Compensation Program System of Records, No. 09-15-0056.

The parties agree that within 90 days of the date of judgment, a duly authorized Conservator of the Estate will be appointed for Carter Montgomery under the laws of the State of Connecticut.

1. Growth Rate

Respondent proffers that a four percent (4.0%) growth rate should be applied to all life care items. Thus, the benefits illustrated in the chart at Tab B that are to be paid through annuity payments should grow as follows: four percent (4.0%) compounded annually from the date of judgment. Petitioner agrees.

2. Life-contingent Annuity

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

3. Guardianship

No payments shall be made until petitioner provides respondent with documentation establishing that she has been appointed as guardian/conservator of Carter Montgomery's estate. If petitioner is not authorized by a court of competent jurisdiction to serve as guardian/conservator of the estate of Carter Montgomery, any such payment shall be made to the party or parties appointed by a court of competent jurisdiction to serve as guardians/conservators of the estate of Carter Montgomery upon submission of written documentation of such appointment to the Secretary.

**III. Summary of Recommended Payments Following Judgment**

- A. Lump Sum paid to the Conservator(s) of the Estate of Carter Montgomery: **\$180,000.00.**
- B. Lump Sum paid to Petitioner: **\$5,500.00.**
- C. Lump sum paid to First Capital Surety & Trust Company for the benefit of the Carter Montgomery U. S. Grantor Reversionary Trust in the amount of: **\$315,177.00.**
- D. An amount sufficient to purchase the annuity contract described above in section II. D.

Respectfully submitted,

STUART F. DELERY  
Acting Assistant Attorney General

MARK W. ROGERS  
Acting Director  
Torts Branch, Civil Division

VINCENT J. MATANOSKI  
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Torts Branch, Civil Division

GLENN A. MACLEOD  
Senior Trial Counsel  
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/s/ TRACI R. PATTON  
TRACI R. PATTON  
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U.S. Department of Justice  
P.O. Box 146, Ben Franklin Station  
Washington, DC 20044-0146  
Tel: (202) 353-1589

Date: March 30, 2012

Pet. Carter Montgomery  
D.O.B. 03/25/2006

TAB A

DATE: 02/17/12  
TIME: 01:40 PM

SUMMARY OF LIFE CARE ITEMS - AGREED LIFE CARE PLAN dated December 19, 2011 [UHC CHOICE]

ITEM OF CARE		Medical Care	Ancillary Services	Medications	Supplies	Home Services	Transportation	Home Modifications	TOTALS of Items with a 4.0% Growth Rate	TOTALS OF 4.0% ITEMS & APPLYING THE GROWTH RATE
GROWTH RATE		4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%		
AGE	YEAR									
6	2012	200.00	65,584.00	563.94	7,581.08	14,400.00	0.00	6,848.44	95,177	95,177
7	2013	180.00	53,354.00	563.94	2,563.00	14,400.00	0.00	207.15	71,268	74,119
8	2014	180.00	53,594.00	563.94	2,563.00	14,400.00	0.00	35.25	71,336	77,157
9	2015	180.00	53,354.00	563.94	4,095.00	14,400.00	0.00	35.25	72,628	81,697
10	2016	180.00	53,354.00	563.94	2,830.30	14,400.00	0.00	387.90	71,716	83,898
11	2017	200.00	53,594.00	563.94	2,830.30	14,400.00	0.00	105.78	71,694	87,227
12	2018	180.00	53,594.00	563.94	2,830.30	14,400.00	0.00	105.78	71,674	90,690
13	2019	180.00	37,658.00	563.94	2,830.30	14,400.00	0.00	105.78	55,738	73,347
14	2020	180.00	36,773.00	563.94	2,830.30	14,400.00	0.00	105.78	54,853	75,070
15	2021	680.00	36,533.00	563.94	2,830.30	14,400.00	0.00	105.78	55,113	78,443
16	2022	200.00	36,815.95	563.94	2,830.30	14,400.00	0.00	105.78	54,916	81,289
17	2023	180.00	36,575.95	563.94	7,358.30	14,400.00	4,150.00	105.78	63,334	97,500
18	2024	180.00	36,815.95	563.94	3,862.51	14,400.00	539.71	173.88	56,536	90,516
19	2025	150.00	498.95	563.94	3,017.51	420.00	539.71	105.78	5,296	8,818
20	2026	55.00	498.95	563.94	3,017.51	420.00	539.71	105.78	5,201	9,006
21	2027	55.00	498.95	563.94	3,017.51	420.00	539.71	105.78	5,201	9,367
22	2028	75.00	738.95	563.94	3,017.51	1,590.00	539.71	105.78	6,631	12,420
23	2029	55.00	498.95	563.94	1,794.51	1,590.00	539.71	105.78	5,148	10,028
24	2030	55.00	498.95	563.94	1,794.51	1,590.00	539.71	105.78	5,148	10,429
25	2031	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	11,295
26	2032	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	11,746
27	2033	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	12,216
28	2034	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	12,705
29	2035	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	13,213
30	2036	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	13,742
31	2037	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	14,291
32	2038	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	14,863
33	2039	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	15,457
34	2040	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	16,076
35	2041	75.00	951.95	563.94	1,794.51	1,590.00	539.71	105.78	5,621	17,530

Pet. Carter Montgomery  
D.O.B. 03/25/2006

TAB A

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GROWTH RATE		4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%		
AGE	YEAR									
36	2042	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	17,388
37	2043	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	18,083
38	2044	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	18,806
39	2045	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	19,559
40	2046	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	20,341
41	2047	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	21,155
42	2048	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	22,001
43	2049	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	22,881
44	2050	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	23,796
45	2051	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	24,748
46	2052	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	25,738
47	2053	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	26,767
48	2054	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	27,838
49	2055	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	28,951
50	2056	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	30,110
51	2057	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	31,314
52	2058	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	32,566
53	2059	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	33,869
54	2060	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	35,224
55	2061	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	36,633
56	2062	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	38,098
57	2063	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	39,622
58	2064	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	41,207
59	2065	55.00	711.95	563.94	1,794.51	1,590.00	539.71	105.78	5,361	42,855
60	2066	75.00	951.95	563.94	1,794.51	1,590.00	475.71	105.78	5,557	46,199
61	2067	55.00	603.95	563.94	1,794.51	23,490.00	475.71	105.78	27,089	234,221
62	2068	55.00	603.95	563.94	1,794.51	23,490.00	475.71	105.78	27,089	243,589
63	2069	55.00	603.95	563.94	1,794.51	23,490.00	475.71	105.78	27,089	253,333
64	2070	55.00	603.95	563.94	1,794.51	23,490.00	475.71	105.78	27,089	263,466

Pet. Carter Montgomery  
D.O.B. 03/25/2006

TAB A

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GROWTH RATE		4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%		
AGE	YEAR									
65	2071	104.75	1,496.95	3,678.09	1,419.51	45,390.00	475.71	105.78	52,671	532,766
66	2072	104.75	1,496.95	3,678.09	1,419.51	45,390.00	475.71	105.78	52,671	554,077
67	2073	104.75	1,496.95	3,678.09	1,419.51	45,390.00	475.71	105.78	52,671	576,240
68	2074	104.75	1,496.95	3,678.09	1,419.51	45,390.00	475.71	105.78	52,671	599,290
69	2075	104.75	1,496.95	3,678.09	1,419.51	45,390.00	475.71	105.78	52,671	623,261
70	2076	104.75	1,496.95	3,678.09	1,419.51	67,290.00	475.71	105.78	74,571	917,704
71	2077	104.75	1,496.95	3,678.09	1,419.51	67,290.00	475.71	105.78	74,571	954,412
72	2078	104.75	1,496.95	3,678.09	1,419.51	67,290.00	475.71	105.78	74,571	992,588
73	2079	104.75	1,496.95	3,678.09	1,419.51	67,290.00	475.71	105.78	74,571	1,032,292
74	2080	104.75	1,496.95	3,678.09	1,419.51	67,290.00	475.71	105.78	74,571	1,073,583
		6,633	654,329	70,053	149,470	907,830	33,954	14,352	1,836,620	10,875,901
		0.36%	35.63%	3.81%	8.14%	49.43%	1.85%	0.78%		100.00%

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Montgomery AGREED LC Plan UHC 12 19 12.xls

## ANNUITY FUNDING PORTFOLIO

AGREED LIFE CARE PLAN dated December 19, 2011 [UHC Choice]

**4.0 % GROWTH RATE**

DATE: 02/17/12  
TIME: 01:41 PM

Pet. Carter Montgomery  
D.O.B. 03/25/2006

	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	
Item	TOTAL	ANNUAL	CASH,	ANNUITY	ANNUITY	ANNUITY	ANNUITY	ANNUITY	ANNUITY	ANNUAL	CUMULATIVE	
Starting Amount	MEDICAL	STRUCTURED	ANNUITY	74,119	73,347	8,930	187,849	258,762	584,335	SAFETY	SAFETY	
Inflation Factor	CARE NEEDS	ANNUITY	and TRUST	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	MARGIN	MARGIN	
Beginning Year	2012	BENEFITS	LUMP	2013	2019	2025	2067	2071	2076	2012	2012	
Ending Year	2080	SUMS	SUMS	2018	2024	LIFE	LIFE	2075	LIFE	2080	2080	
AGE	YEAR	TOTAL	S/S	Cash &	Deferred	Deferred	Deferred	Deferred	Deferred	Deferred	Safety	Cum.Safety
		NEEDS	TOTAL	Lump Sums	Annuity	Annuity	Annuity	Annuity	Annuity	Annuity	Margin	Margin
6	2012	95,177	95,177	95,177							0	0
7	2013	74,119	74,119		74,119						0	0
8	2014	77,157	80,243	3,159	77,084						3,086	3,085
9	2015	81,697	80,167		80,167						-1,530	1,556
10	2016	83,898	83,374		83,374						-524	1,032
11	2017	87,227	86,709		86,709						-518	514
12	2018	90,690	90,177		90,177						-513	0
13	2019	73,347	73,347			73,347					0	0
14	2020	75,070	76,281			76,281					1,211	1,211
15	2021	78,443	79,332			79,332					889	2,100
16	2022	81,289	82,505			82,505					1,216	3,316
17	2023	97,500	98,371	12,565		85,806					871	4,187
18	2024	90,516	89,238			89,238					-1,278	2,909
19	2025	8,818	8,930				8,930				112	3,021
20	2026	9,006	9,287				9,287				281	3,302
21	2027	9,367	9,659				9,659				292	3,594
22	2028	12,420	10,045				10,045				-2,375	1,219
23	2029	10,028	10,447				10,447				419	1,639
24	2030	10,429	10,865				10,865				436	2,075
25	2031	11,295	11,299				11,299				5	2,079
26	2032	11,746	11,751				11,751				5	2,084
27	2033	12,216	12,221				12,221				5	2,089
28	2034	12,705	12,710				12,710				5	2,095
29	2035	13,213	13,219				13,219				6	2,100
30	2036	13,742	13,747				13,747				6	2,106
31	2037	14,291	14,297				14,297				6	2,112
32	2038	14,863	14,869				14,869				6	2,118

**ANNUITY FUNDING PORTFOLIO**

AGREED LIFE CARE PLAN dated December 19, 2011 [UHC Choice]

**4.0 % GROWTH RATE**

DATE: 02/17/12  
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Pet. Carter Montgomery  
D.O.B. 03/25/2006

	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11
<b>Item</b>	<b>TOTAL</b>	<b>ANNUAL</b>	<b>CASH,</b>	<b>ANNUITY</b>	<b>ANNUITY</b>	<b>ANNUITY</b>	<b>ANNUITY</b>	<b>ANNUITY</b>	<b>ANNUITY</b>	<b>ANNUAL</b>	<b>CUMULATIVE</b>
<b>Starting Amount</b>	<b>MEDICAL</b>	<b>STRUCTURED</b>	<b>ANNUITY</b>	<b>74,119</b>	<b>73,347</b>	<b>8,930</b>	<b>187,849</b>	<b>258,762</b>	<b>584,335</b>	<b>SAFETY</b>	<b>SAFETY</b>
<b>Inflation Factor</b>	<b>CARE NEEDS</b>	<b>ANNUITY</b>	<b>and TRUST</b>	<b>4.00%</b>	<b>4.00%</b>	<b>4.00%</b>	<b>4.00%</b>	<b>4.00%</b>	<b>4.00%</b>	<b>MARGIN</b>	<b>MARGIN</b>
<b>Beginning Year</b>	<b>2012</b>	<b>BENEFITS</b>	<b>LUMP</b>	<b>2013</b>	<b>2019</b>	<b>2025</b>	<b>2067</b>	<b>2071</b>	<b>2076</b>	<b>2012</b>	<b>2012</b>
<b>Ending Year</b>	<b>2080</b>		<b>SUMS</b>	<b>2018</b>	<b>2024</b>	<b>LIFE</b>	<b>LIFE</b>	<b>2075</b>	<b>LIFE</b>	<b>2080</b>	<b>2080</b>

AGE	YEAR	TOTAL NEEDS	S/S TOTAL	Cash & Lump Sums	Deferred Annuity	Deferred Annuity	Deferred Annuity	Deferred Annuity	Deferred Annuity	Deferred Annuity	Safety Margin	Cum.Safety Margin
33	2039	15,457	15,464				15,464				6	2,124
34	2040	16,076	16,082				16,082				7	2,131
35	2041	17,530	16,726				16,726				-804	1,327
36	2042	17,388	17,395				17,395				7	1,335
37	2043	18,083	18,091				18,091				8	1,342
38	2044	18,806	18,814				18,814				8	1,350
39	2045	19,559	19,567				19,567				8	1,358
40	2046	20,341	20,349				20,349				8	1,367
41	2047	21,155	21,163				21,163				9	1,375
42	2048	22,001	22,010				22,010				9	1,385
43	2049	22,881	22,890				22,890				10	1,394
44	2050	23,796	23,806				23,806				10	1,404
45	2051	24,748	24,758				24,758				10	1,414
46	2052	25,738	25,748				25,748				11	1,425
47	2053	26,767	26,778				26,778				11	1,436
48	2054	27,838	27,850				27,850				12	1,448
49	2055	28,951	28,964				28,964				12	1,460
50	2056	30,110	30,122				30,122				13	1,472
51	2057	31,314	31,327				31,327				13	1,485
52	2058	32,566	32,580				32,580				14	1,499
53	2059	33,869	33,883				33,883				14	1,513
54	2060	35,224	35,239				35,239				15	1,528
55	2061	36,633	36,648				36,648				15	1,543
56	2062	38,098	38,114				38,114				16	1,559
57	2063	39,622	39,639				39,639				17	1,575
58	2064	41,207	41,224				41,224				17	1,593
59	2065	42,855	42,873				42,873				18	1,610

## ANNUITY FUNDING PORTFOLIO

AGREED LIFE CARE PLAN dated December 19, 2011 [UHC Choice]

**4.0 % GROWTH RATE**

DATE: 02/17/12  
TIME: 01:41 PM

Pet. Carter Montgomery  
D.O.B. 03/25/2006

	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	
<b>Item</b>	<b>TOTAL</b>	<b>ANNUAL</b>	<b>CASH,</b>	<b>ANNUITY</b>	<b>ANNUITY</b>	<b>ANNUITY</b>	<b>ANNUITY</b>	<b>ANNUITY</b>	<b>ANNUITY</b>	<b>ANNUAL</b>	<b>CUMULATIVE</b>	
<b>Starting Amount</b>	<b>MEDICAL</b>	<b>STRUCTURED</b>	<b>ANNUITY</b>	74,119	73,347	8,930	187,849	258,762	584,335	<b>SAFETY</b>	<b>SAFETY</b>	
<b>Inflation Factor</b>	<b>CARE NEEDS</b>	<b>ANNUITY</b>	<b>and TRUST</b>	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	<b>MARGIN</b>	<b>MARGIN</b>	
<b>Beginning Year</b>	2012	<b>BENEFITS</b>	<b>LUMP</b>	2013	2019	2025	2067	2071	2076	2012	2012	
<b>Ending Year</b>	2080		<b>SUMS</b>	2018	2024	<b>LIFE</b>	<b>LIFE</b>	2075	<b>LIFE</b>	2080	2080	
<b>AGE</b>	<b>YEAR</b>	<b>TOTAL</b>	<b>S/S</b>	<b>Cash &amp;</b>	<b>Deferred</b>	<b>Deferred</b>	<b>Deferred</b>	<b>Deferred</b>	<b>Deferred</b>	<b>Deferred</b>	<b>Safety</b>	<b>Cum.Safety</b>
		<b>NEEDS</b>	<b>TOTAL</b>	<b>Lump Sums</b>	<b>Annuity</b>	<b>Annuity</b>	<b>Annuity</b>	<b>Annuity</b>	<b>Annuity</b>	<b>Annuity</b>	<b>Margin</b>	<b>Margin</b>
60	2066	46,199	44,588				44,588				-1,611	0
61	2067	234,221	234,221				46,372	187,849			0	0
62	2068	243,589	243,589				48,226	195,363			0	0
63	2069	253,333	253,333				50,155	203,177			0	0
64	2070	263,466	263,466				52,162	211,305			0	0
65	2071	532,766	532,767				54,248	219,757	258,762		1	0
66	2072	554,077	554,078				56,418	228,547	269,112		1	1
67	2073	576,240	576,241				58,675	237,689	279,877		1	1
68	2074	599,290	599,290				61,022	247,196	291,072		1	2
69	2075	623,261	320,547	302,714 =>	<b>From: TRUST</b>		63,463	257,084			0	2
70	2076	917,704	917,704				66,001	267,368	584,335		0	2
71	2077	954,412	954,412				68,641	278,062	607,708		0	2
72	2078	992,588	992,589				71,387	289,185	632,017		0	3
73	2079	1,032,292	1,032,292				74,242	300,752	657,297		0	3
74	2080	1,073,583	1,073,584				77,212	312,782	683,589		0	3
<b>ITEMIZED TOTALS</b>		10,875,901	10,573,190	413,615	491,630	486,509	1,784,263	3,436,117	1,098,824	3,164,947	3	3
		-2.78%		413,615	491,630	486,509	848,578	383,212	0	0	2,623,543	Guar.Yield
	<b>SAFETY MARGIN</b>			413,615	491,630	486,509	1,784,263	3,436,117	1,098,824	3,164,947	10,875,904	Exp. Yield
							<b>40 YRS GY</b>	<b>2 YRS GY</b>				

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