

## *ERICKSON & ASSOCIATES*

Economic consultants to government, business and the legal profession

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### **Wrongful Death Information**

Here is the listing of materials I consider helpful in the economic analysis of wrongful death losses. The list below covers items common to all types of wrongful death claims; additional information is often required depending on the decedent and the types of the economic damages being claimed.

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.

- 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 resumé for the decedent showing birth date, education and employment, including pay rates, the beginning and ending dates for each job, and the reason for leaving each job.
- The decedent's federal income tax returns and supporting schedules from the year of death and seven or more years preceding that year. 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. 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.
- The decedent's Social Security Administration certified account statements should be requested and forwarded to me at the earliest possible date.
- Copies of performance evaluations prepared by the decedent's employers, and papers documenting hiring, discharge, and other changes in his or her work status during the same seven-year period

- Documentation of decedent's retirement accounts (including SBS, deferred compensation, 409k or other savings plans), even if he or she withdrew the contributions.
- Information on decedent's medical conditions that might have affected his or her future earning ability or life expectancy (for example, HIV infection, diabetes, or alcoholism).
- Information on a history of tobacco use in the five years before decedent's death.
- A copies of deposition testimony if it has been taken, and documents generated on either side as a result of discovery that might bear on the decedent's earnings had he or she not died.

After I review the written material, I may wish to arrange an interview with the plaintiff or others who knew the decedent.