

Summary of 2016-07-11-Depo-of-Robert-Coston-redacted.pdf

Citation	Summary of Testimony	Topic Summary
3:1-5:6	The deposition of Dr. Robert Coston begins with an agreement between counsel on the nature of the deposition and the swearing in of the witness.	<ul style="list-style-type: none"> - Nature and purpose of the deposition - Agreement between counsel - Swearing in of the witness
4:1-5:6	Dr. Coston confirms his experience with giving depositions and agrees to request clarification on any unclear questions or terms used during the deposition.	<ul style="list-style-type: none"> - Dr. Coston's experience with depositions - Clarification on questions and terms
5:1-7:25	The deponent confirmed bringing their entire file except for a disk containing Mr. 's deposition. They marked an Economic Analysis as Defendant's Exhibit A and confirmed it as their latest summary of opinions in the case. The deponent's CV was attached as Exhibit B. They discussed their current status as emeritus professor at Georgia Southern, detailing their privileges and activities post-retirement, including consulting work, investment activities, and occasional teaching.	<ul style="list-style-type: none"> - Completeness of the file brought to deposition - Economic Analysis document - Current and past professional activities - Consulting work involvement
8:1-8:17	The deponent estimated having worked on 15 to 25 cases for Butler Wooten Fryhofer over 20 years, with expert witness work occupying about a third of their work time. They agreed to provide a Rule 26 list of cases they've testified in over the last four years, which they forgot to bring, by emailing it to Mr. Butler.	<ul style="list-style-type: none"> - Expert witness work frequency - Rule 26 list of cases
9:1-12:6	The deponent, who last taught for Georgia Southern in 2001 and has not held any teaching positions since, is charging \$350 per hour for their work in the case, totaling \$2800 for approximately eight hours of work prior to the deposition. They have completed all requested work for the case except for the deposition and have not been asked to perform additional tasks such as calculating lost income or wages. The deponent has their entire file with them, except for a disk of the deposition, and is prepared to go through the items in the file, which are organized in anticipation of the questions to be asked.	<ul style="list-style-type: none"> - Deponent's professional background and charges for the case - Completion of requested work and preparation for deposition - Organization and content of the deponent's file
12:1-13:6	The deponent discusses using a mortality table for African-Americans to determine life expectancy for an economic analysis related to a life care plan, stating that no information from Mr. 's deposition was used in developing their opinions and conclusions.	<ul style="list-style-type: none"> - Use of mortality table - Economic analysis for life care plan - Non-use of deposition information
13:7-14:25	The deponent explains the process of reviewing the life care plan provided, which included skimming over personal and medical information about the subject. They also mention enclosing the appraisal of the discounted value in a letter to Mr. Jeb Butler, along with a copy of their CV.	<ul style="list-style-type: none"> - Review process of life care plan - Enclosure of appraisal and CV in communication

15:1-20	The deponent clarifies that both parts of the life care plan were relevant to developing their opinions, but the second part, which detailed the medical services and necessities needed, was directly used for determining the discounted value of the life care plan.	- Relevance of life care plan parts - Direct use of medical services and necessities list
16:1-17:9	The deponent, when asked, confirmed that they did not review any life care plans other than the one provided by Ms. Willard for developing their opinions and conclusions. They also mentioned that they normally include lost wages in their reports but did not do so in this case as they were instructed not to by Mr. Butler.	- Use of life care plans - Decision not to include lost wages analysis
17:10-18:25	The deponent discussed the unique aspect of the case involving a dancer and how they considered but ultimately did not pursue an analysis of lost income or wages due to the specific request of Mr. Butler. They also detailed the process of receiving materials for their conclusions, highlighting the receipt of both electronic and hard copy materials.	- Consideration of lost wages for a dancer - Process of receiving case materials
19:1-19:4	The deponent explained the relevance of Exhibit G, which includes interest rates published by the Federal Reserve System. They discussed the use of a five percent discount rate in Georgia for discounting, despite current rates being lower, and justified the appropriateness of the rate they used.	- Discussion on discount rates and Exhibit G
19:1-20:25	The deponent discusses the use of a five percent discount rate as per Georgia statute for calculating future values and contrasts it with current lower interest rates. They explain that while current rates are lower, they believe a five percent rate is reasonable over a long term, such as 50 years.	- Discount rate and its impact on calculations - Georgia statute on discount rate - Long-term financial projections
21:1-22:16	The deponent clarifies they did not use the lower current interest rates from Exhibit G in their conclusions, sticking with the five percent statutory rate. They also discuss their professional fee of \$2,800 for their services, billed at \$350 per hour since September 2008, and confirm the receipt of payment through an invoice marked as Exhibit H.	- Use of statutory rate over current rates in analysis - Professional fees and billing practices - Documentation of payment through invoices
23:6-25:24	The deponent confirmed the accuracy of a \$2800 invoice for their work and acknowledged it as the only invoice prepared. The discussion then shifted to Exhibit A, the economic analysis, starting with general information and assumptions used in the appraisal computations, including the subject's date of birth, date of injury, age at injury, and life expectancy. The source for life expectancy data was a table from the Statistical Abstract of the United States, revised in 2008. The deponent noted the table is updated perhaps annually, but they do not adjust life expectancy figures themselves. Discussion on years of working life and age at retirement being not applicable in this case as no lost income or wage was calculated.	- Invoice accuracy and completeness - Economic analysis overview - Life expectancy data source and usage - Non-calculation of lost income or wages

26:1-29:8	The deponent discusses the use of a five percent discount rate in their analysis, explaining it is commonly used and considered appropriate, though they have used other rates in past cases. They also detail how they calculated costs for a rehabilitation life care plan based on figures from Ms. Willard's life care plan, specifically mentioning the calculation of projected evaluations totaling \$90,549.61 after applying a five percent discount.	<ul style="list-style-type: none"> - Use of five percent discount rate - Calculation of costs in a rehabilitation life care plan - Methodology for calculating projected evaluations
29:1-30:25	The deponent explains that the figures provided in Ms. Willard's life care plan are calculated with a 5% discount rate to reflect their present value as of October 18, 2013. The total cost of \$90,549.61 for projected evaluations over a 50-year period is discussed, emphasizing that this amount, if invested at a 5% discount rate, would cover the necessary medical services throughout the next 50 years.	<ul style="list-style-type: none"> - Discounted value calculation - Life care plan figures - Investment and discount rate implications
31:1-32:21	The deponent details the methodology used to calculate costs for specific categories within the life care plan, such as driver evaluation and training, home accessibility evaluations, and physiatrist visits. The approach involves averaging costs where applicable, and for recurring expenses like physiatrist visits, projecting the total cost over the individual's lifetime and then discounting it back to present value as of October 18, 2013.	<ul style="list-style-type: none"> - Methodology for calculating life care plan costs - Specific cost calculations for driver training, home accessibility, and physiatrist visits - Discounting future costs to present value
33:1-34:4	The deponent explains the calculation of costs for various rehabilitation services, emphasizing the use of current costs for immediate needs and discounted future costs for long-term needs. They clarify that some costs are calculated at today's rates without discounting, while others are forecasted over a lifetime and then discounted back to present value.	<ul style="list-style-type: none"> - Calculation of rehabilitation costs - Discounting future costs to present value - Immediate vs. long-term cost calculations
34:5-35:10	The deponent discusses the specific calculation for the cost of a physiatrist, which is forecasted at \$400 per year from age 21 for the rest of the life expectancy, resulting in a discounted value of \$45,993. They also explain the calculation for another service needed from age 21 to 47, resulting in a discounted value of \$3,617.74.	<ul style="list-style-type: none"> - Cost calculation for physiatrist services - Forecasting and discounting costs - Specific service cost calculations
35:11-36:2	The deponent summarizes the total discounted value of the rehabilitation life care plan as \$3,692,820.48, calculated as of October 18, 2013. This amount, if invested at a 5% annual return, would cover all projected services over the lifetime, assuming the individual lives as long as the mortality table predicts.	<ul style="list-style-type: none"> - Total discounted value of life care plan - Investment and annual return assumptions - Mortality table considerations
35:20-37:22	The deponent confirms that the financial calculations for services over a lifetime are based on mortality tables, and if the individual lives longer, there would be no money left. Difficulties in calculating exact costs for certain medical services, like orthopedist visits, due to unknown frequencies are discussed.	<ul style="list-style-type: none"> - Financial planning based on mortality tables - Challenges in calculating costs for medical services

37:23-39:19	The deponent has not had any communication with Ms. Willard regarding this case, indicating a clear understanding of her presented materials. The possibility of revising the report or developing new conclusions based on future earnings is discussed, with an emphasis on the need to share any new reports before trial.	<ul style="list-style-type: none"> - Communication with Ms. Willard - Revising reports or developing new conclusions - - Sharing reports before trial
12:13-41:11	The deponent discusses the potential for updating their report depending on the time it takes to get to trial, which could change the numbers in the report but not the included information or methodology. The deposition concludes with no further questions from either party, and the witness decides to waive the signature requirement. The certificate by the court reporter confirms the deposition's completion and accuracy.	<ul style="list-style-type: none"> - Updating reports for trial - Methodology consistency - Conclusion of deposition - Waiving signature requirement - Certification of deposition accuracy