

<u>Claim Form Question</u>	<u>Description</u>	<u>Maximum Points or Factor</u>
	maximum of 200 points. For example, if a claimant documents 3-5 rejections but says there were 6-9 rejections, the claimant would receive 100 points for the documented rejections and 15 points for the undocumented rejections, making a total of 115 points. If the claimant documents 3-5 rejections but says there were 10+ rejections, the claimant would receive 130 points.	
IV.C	30 points for a yes, 45 additional points for an explanation.	75 (Total for IV.B and IV.C is 225 points.)
IV.D	25 points for one rejection, 50 points for two or more rejections	50
IV.E	20 points for 1-2 rejections, 35 points for 3 or 4, 50 points for 5 or more rejections	50
IV.F	30 points for a yes, 45 additional points for an explanation	75 (Total for IV.D-F is 115 points.)
IV.G	30 points for 0-1 years of representation, 60 points for 2-3 years, 90 points for 4-6 years, 120 points for more than six years	120
IV (general)	Description in a declaration (or otherwise) of at least one instance of a private comment or action overtly manifesting age animus or bias (not public comments in the media or public speeches or anecdotes that occurred to someone else). The comment must be expressly or impliedly related to age (including hair color, freshness, old credits). Do not award points for rejections for positions or representation, unless the rejections are accompanied by discriminatory comments.	80
VI.B	60 points for being interested in single camera comedies, multi-camera comedies, and late night, but only if the claimant receives points for IV.B through IV.G.	60
VI.C	A claimant may receive points for this answer only if the claimant receives some points for IV.B through IV.G. A claimant eligible for points under VI.C may receive 50 points for being interested in full-time hyphenate or staff writing positions, and 25 points for any other combination of affirmative answers, unless the sole area of interest is Development Deal and/or Executive Producer, in which case the claimant will receive 0 points.	50

<u>Claim Form Question</u>	<u>Description</u>	<u>Maximum Points or Factor</u>
---	Liability Maximum	700
B. <u>Damages Points</u>²		
Section V (losses based on amount of mitigated, CPI-adjusted income in high five years)	<p>A claimant's high five income years will be taken from the WGA data or the data provided by the claimant, subject to the confirmation process described in the guidelines if the claimant reports inflation-adjusted income in any year of \$500K or more or if the claimant has been an executive producer during the Oct. 1996-Jan. 2010 period. If the claimant authorizes use of WGA data but also provides data, use whichever figures yield the higher result, as long as the claimant's data is supported (including after confirmation if applicable). If the claimant's income figures are not supported by the required documentation and the claimant has not authorized access to WGA data, the claimant's form is deficient.</p> <p>All earnings should be adjusted to 2010 dollars using the consumer price index at http://data.bls.gov/cgi-bin/cpicalc.pl. Then the mean for those five years should be calculated, yielding the average adjusted earnings for the high five years.</p> <p>Unmitigated, CPI-adjusted damages should be calculated for each year after 1995 or after the most recent of the five highest earning years, whichever is more recent. For example, if 2006 was the last of the five highest-earning years, then unmitigated damages would be calculated only for 2007-09. If 1991 was the last of the five highest-earning years, then unmitigated damages would be calculated for all 14 years (1996-2009).</p> <p>If the claimant checks the third box in VI.E (found alternative work equal to or in excess of what was earned as a television writer), the claimant's unmitigated damages will be reduced by 90% to arrive at mitigated damages. If the claimant checks the fourth box in VI.E (found</p>	1,500

² The information on the high-five years of television writing income is relevant both to damages and to liability.

<u>Claim Form Question</u>	<u>Description</u>	<u>Maximum Points or Factor</u>																														
	<p>alternative work paying 50-100% of what was earned as a television writer), the claimant's unmitigated damages will be reduced by 50% to arrive at mitigated damages. Otherwise, the following chart should be used in estimating mitigated damages each year:</p> <table border="1"> <thead> <tr> <th><u>Damage Year</u></th> <th><u>% of Unmitigated Damages</u></th> </tr> </thead> <tbody> <tr><td>Later of 1996 or first year</td><td>95%</td></tr> <tr><td>Later of 1997 or second year</td><td>90%</td></tr> <tr><td>Later of 1998 or third year</td><td>85%</td></tr> <tr><td>Later of 1999 or fourth year</td><td>80%</td></tr> <tr><td>Later of 2000 or fifth year</td><td>75%</td></tr> <tr><td>Later of 2001 or sixth year</td><td>70%</td></tr> <tr><td>Later of 2002 or seventh year</td><td>65%</td></tr> <tr><td>Later of 2003 or eighth year</td><td>60%</td></tr> <tr><td>Later of 2004 or ninth year</td><td>55%</td></tr> <tr><td>Later of 2005 or tenth year</td><td>50%</td></tr> <tr><td>Later of 2006 or eleventh year</td><td>50%</td></tr> <tr><td>Later of 2007 or twelfth year</td><td>50%</td></tr> <tr><td>Later of 2008 or thirteenth year</td><td>50%</td></tr> <tr><td>Later of 2009 or fourteenth year</td><td>50%</td></tr> </tbody> </table> <p>Thus, if the latest of the five highest years was 2006, then mitigated damages would be calculated for only three years, at 95%, 90%, and 85% of average adjusted earnings for the high five years.</p> <p>The mitigated, CPI-adjusted damages for each year should be totaled to arrive at the total mitigated, CPI-adjusted damages.</p> <p>The total mitigated, CPI-adjusted damages are then converted to points using the table attached to this exhibit.</p>	<u>Damage Year</u>	<u>% of Unmitigated Damages</u>	Later of 1996 or first year	95%	Later of 1997 or second year	90%	Later of 1998 or third year	85%	Later of 1999 or fourth year	80%	Later of 2000 or fifth year	75%	Later of 2001 or sixth year	70%	Later of 2002 or seventh year	65%	Later of 2003 or eighth year	60%	Later of 2004 or ninth year	55%	Later of 2005 or tenth year	50%	Later of 2006 or eleventh year	50%	Later of 2007 or twelfth year	50%	Later of 2008 or thirteenth year	50%	Later of 2009 or fourteenth year	50%	
<u>Damage Year</u>	<u>% of Unmitigated Damages</u>																															
Later of 1996 or first year	95%																															
Later of 1997 or second year	90%																															
Later of 1998 or third year	85%																															
Later of 1999 or fourth year	80%																															
Later of 2000 or fifth year	75%																															
Later of 2001 or sixth year	70%																															
Later of 2002 or seventh year	65%																															
Later of 2003 or eighth year	60%																															
Later of 2004 or ninth year	55%																															
Later of 2005 or tenth year	50%																															
Later of 2006 or eleventh year	50%																															
Later of 2007 or twelfth year	50%																															
Later of 2008 or thirteenth year	50%																															
Later of 2009 or fourteenth year	50%																															
Section V (span of high five years)	<table border="1"> <tbody> <tr><td>Under seven years</td><td>0</td></tr> <tr><td>7-9 years</td><td>40</td></tr> <tr><td>10-12 years</td><td>80</td></tr> <tr><td>13-16 years</td><td>120</td></tr> <tr><td>17-20 years</td><td>160</td></tr> <tr><td>Over 20 years</td><td>200</td></tr> </tbody> </table>	Under seven years	0	7-9 years	40	10-12 years	80	13-16 years	120	17-20 years	160	Over 20 years	200	200																		
Under seven years	0																															
7-9 years	40																															
10-12 years	80																															
13-16 years	120																															
17-20 years	160																															
Over 20 years	200																															
VIII.B	100 points for a "yes"; zero points if the necessary information (provider plus connection to the discrimination) is not provided.	100																														
VIII.C	100 points for a "yes" to discrimination causing a major	150																														

<u>Claim Form Question</u>	<u>Description</u>	<u>Maximum Points or Factor</u>
VII.C	"Yes"	5%
VII.D	"Yes"	5%
VII.E	"Yes"	10%
---	Claim Development Maximum	100%
D. <u>Other Factors</u>		
III.G	Claimants' points may be increased to reflect their ages. For each year between 1996 and 2010 that the claimant was between 50 and 59, the factor is increased by .02, and for each year between 60 and 69, by .01. For example, the age factor for a claimant born in 1948 is 1.22: no multiplier for 1996 and 1997 because s/he was in his/her 40's, .02 multiplier for each year between 1998 and 2007 because s/he was in his/her 50's, and .01 multiplier for each of 2008 and 2009 because s/he was in his/her 60's. The age factor is multiplied by the number of liability, claim development and damages points.	24%
---	100% of the lower of the liability plus claim development total or the damages total.	n/a
VI.A, VI.D, III.G	For each year in which the claimant was unavailable between 1996 and 2009, either because under the age of 40, after death, because serving as an executive, EP, or agent, or not interested, the claimant's points will be reduced by 7%. Avoid duplication. For example, if the claimant was an executive in 1996 and 1997 and also under the age of 40, the reduction will be for only two years (not four years).	n/a
---	Other Factors Maximum	n/a
E. <u>Fund for the Future Waiver Enhancement</u>		
IX	60% of first \$250 of award; 20% of next \$750 of award; and 10% of next \$2,000 of award.	\$500
---	FFF Waiver Enhancement Maximum	\$500

<u>Claim Form Question</u>	<u>Description</u>	<u>Maximum Points or Factor</u>
F. <u>Award Allocation for Tax Purposes</u>		
	<p>Allocation to Interest for Professional Writers:</p> <ol style="list-style-type: none"> 1. Use the mitigated, CPI-adjusted damage figures calculated as described at pages 4-5 above. 2. For each year of damage, calculate 10% interest per annum, compounded annually, to June 9, 2010. 3. Total the amount of mitigated, CPI-adjusted damages for all years and the amount of interest for all years. 4. The ratio of damages to interest is the ratio of non-interest damages to interest for purposes of the tax allocation. <p style="text-align: center;">-----</p> <p>Allocation to Interest for Aspiring Writers:</p> <ol style="list-style-type: none"> 1. Allocate each claimant's total award equally among all years (for claimants who became class members (turned 40) in 1996 or later, start with the year after the claimant became 40. 2. For each year of damage, calculate 10% interest per annum, compounded annually, to June 9, 2010. 3. Total the amount of mitigated, CPI-adjusted damages for all years and the amount of interest for all years. 4. The ratio of damages to interest is the ratio of non-interest damages to interest for purposes of the tax allocation. 	
---	<p>Allocation to Agency Discrimination Claims for Professional Writers and for 23 Aspiring Writers Who Receive Full Points:</p> <ol style="list-style-type: none"> 1. Divide each claimant's points attributable to IV.D-F by that claimant's total points. 	---

<u>Claim Form Question</u>	<u>Description</u>	<u>Maximum Points or Factor</u>
	<p>2. For each claimant, multiply the fraction generated by step 1 by the claimant's gross award.</p> <p>3. Total the products for each claimant yielded by step 2.</p> <p>4. Multiply 20% by a fraction, the numerator of which is the total of all claimants' awards and the denominator of which is the sum yielded by step 3.</p> <p>5. Multiply the product yielded by step 4 by the product yielded by step 2.</p> <p style="text-align: center;">-----</p> <p>Allocation to Agency Discrimination Claims for All Other Aspiring Writers</p> <p>1. Allocate 20% to agency discrimination claims</p>	
	<p>Allocation to Wage Damages:</p> <p>Each claimant's award less the total of the allocation to interest and the allocation to agency discrimination claims</p>	