

1 **DECLARATION OF PAUL C. SPRENGER IN SUPPORT OF MOTION FOR**
2 **APPROVAL OF CLAIM FORMULA**

3 PAUL C. SPRENGER hereby declares and states:

4 1. I am Lead Class Counsel for plaintiffs in the “TV Writers Cases” and submit this
5 declaration in support of the Motion for Approval of Claim Formula. All statements herein are
6 based on my personal knowledge, except as otherwise expressly noted.

7 2. I refer throughout this declaration to a proposed formula. The document attached
8 as Exhibit A to the Motion for Approval of Claim Formula and the supporting Memorandum
9 contains the terms that Class Counsel has instructed GCG to use as the formula. Each of the
10 elements for which claimants may receive points under the formula are based on my own
11 experience and knowledge gained in litigating employment discrimination class action lawsuits
12 for about 40 years, the experiences and knowledge from other cases communicated to me by
13 other members of the Steering Committee of lawyers representing plaintiffs and the proposed
14 classes in the TV Writers Cases, and the evidence and knowledge of the industry that we
15 obtained while litigating the TV Writers Cases.

16 3. In this declaration I refer on occasion to a second stage proceeding after a finding
17 of a pattern or practice of discrimination. Under well-established procedure in the federal courts,
18 which the California Court of Appeal adopted in its 2004 decision in this litigation, if (a) a class
19 action is certified, (b) the plaintiffs prove the existence of a pattern or practice of discrimination
20 during the first stage of trial, and (c) there is no settlement, class members who wish to recover
21 must proceed to second stage individual proceedings to establish their right to recovery. These
22 second stage proceedings are often referred to as mini-trials because they generally do not
23 involve all of the procedures and all of the issues of a stand-alone discrimination case. In the TV
24 Writers Cases, obviously, there has been no class certification determination and no findings
25 whether defendants have engaged in patterns or practices of discrimination. Nevertheless, the
26 claims process serves as a substitute for the mini-trials. Thus, my goal in the claims process is to
27 create a formula under which the claimants who would have the most valuable claims for
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1 purposes of mini-trials receive the largest awards.

2 4. On May 20, 2010, I asked Lance Blair to send to all claimants by email, or U.S.
3 mail if an email address was unknown, a notice informing them of the hearing on the formula
4 that was then scheduled for June 9, 2010. The communication invited suggestions, and I
5 received 30 or more suggestions, primarily by email. The topic that was most often addressed
6 was how to treat aspiring writers relative to professional writers under the formula, but the
7 positions taken by claimants were diametrically opposed, as reflected in the emails attached as
8 Exhibit A through C. We have redacted the names of the claimants to preserve their
9 confidentiality.

10 5. Unlike professional television writers, aspiring television writers have not proved
11 their abilities by securing paid television writing employment. I concluded that it was unfair to
12 professional writers to allow all aspiring writers to receive substantial awards, but also unfair to
13 aspiring writers to limit them to minimal awards. The best measure of ability that did not
14 involve reading thousands of spec scripts is whether aspiring writers could obtain talent agency
15 representation. I am confident that few talent agents would take on a writer as a client unless
16 they believed, based at least in part on their assessment of the writers' ability, that there was a
17 reasonable chance that the writer would gain employment. We have used the fact of talent
18 agency representation as the proxy for determining whether aspiring writers may receive more
19 than the minimum award. Aspiring writers who meet this test are entitled to points under the
20 formula.

21 6. An individual must adduce evidence to establish liability, regardless whether a
22 plaintiff in a stand-alone case or a claimant in a second stage proceeding after a finding of a
23 pattern or practice of discrimination, in order to prevail. Thus, the formula gives a large number
24 of points to answers to questions designed to identify claimants with the strongest liability cases.

25 7. Formal and informal discovery during this litigation has revealed that most talent
26 agencies have a policy of refusing to review unsolicited materials, such as a script that a writer
27 has prepared, because of fear of litigation over intellectual property theft. Many persons,
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1 especially aspiring writers, are unaware of this policy. Thus, some writers bombard talent
2 agencies with unsolicited materials that will be automatically rejected. More savvy writers know
3 that this approach is futile. For this reason, the number of times that a writer is rejected by a
4 talent agency may have little relationship with the strength of a writer's age discrimination
5 claims.

6 8. Among the liability questions are two questions designed to identify whether
7 claimants are interested in certain genres of television shows and certain types of positions.
8 Through information in reports prepared by the WGA West and information obtained from the
9 parties and various third parties, I and other Class Counsel concluded that we had considerably
10 stronger evidence tending to support the existence of age discrimination for jobs in comedy and
11 late night programming than for other types of genres and for staff jobs (including hyphenate
12 positions short of executive producers) than for other types of positions. Accordingly, the
13 formula gives points for persons interested in those types of positions.

14 9. My co-counsel and I consider claimants' high-five years of television writing
15 income to be the principal basis for assessing the amount of their potential damages. We
16 consider the information equally relevant to liability assessments. In general, the amount a
17 writer was paid at his or her earning peak indicates Hollywood's assessment of his or her talents
18 as a writer, and in general, the higher the writer's pay during his or her peak years, the greater his
19 or her claim for damages when he or she becomes unable to secure writing employment.
20 Obviously, claimants' high five years of income is not a perfect proxy for talent. Persons who
21 first tried to obtain television writing in their 40s or 50s may have had their earning potential
22 depressed by age discrimination. Similarly, minority or female writers may have experienced
23 discrimination in their efforts to obtain television writing employment. Still, income earned
24 prior to the time writers found themselves unable to obtain employment is the best single
25 measure we have to assess both talent and potential damages.

26 10. The claim form requires professional writers either to list their high five income
27 years from television writing and to provide documentary support of that income or (if they were
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1 WGA members) to execute a limited waiver of the right to privacy so that the Claims
2 Administrator, Garden City Group, could obtain income data from the WGA. We knew from
3 discovery in the case that the WGA required members to report quarterly data on their income
4 from covered work and that the WGA had maintained that information in an electronic database
5 since the early 1980's. Neither source of information is perfect. Among other things, both are
6 subject for different reasons to overly high estimates (if non-writing income is included) or
7 overly low estimates, especially the WGA databases because both writers and employers had
8 financial incentives to under-report writing income.

9 11. The formula also incorporates other measures of damages. Points are given for
10 the span of years between the first and last of the high five years. I believe that a writer with a
11 solid career over many years has a stronger claim than a writer who peaked over a short period of
12 time; the former has shown more of an ability to adapt to changing tastes in television. The
13 formula also gives points to claimants who contend that alleged age discrimination contributed to
14 adverse health consequences or serious financial or personal harm. The settlement does not
15 recognize non-wage losses for tax purposes, but someone with evidence of this type of harm also
16 will tend to have a stronger wage claim.

17 12. Our initial stab at a formula equalized the maximum number of points for
18 damages and for liability questions. However, the average award for liability proved several
19 times larger than the average award for damages. Because we believe that damages should be
20 roughly equivalent in importance to liability considerations for the claimants as a whole, we
21 increased the maximum number of damage points. Even with those changes, more points will be
22 awarded based on liability questions than based on damages questions. Nonetheless, I believe
23 that the proposed formula brings these two categories of points into a reasonably proportionate
24 relationship to each other.

25 13. The formula distinguishes among claimants who have developed and/or have
26 taken steps to develop evidence supporting their claims or the claims of the class. For example,
27 whether named plaintiffs or not, class members who filed administrative charges of age
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1 discrimination describing incidents of ageism, provided information to Class Counsel about
2 alleged age discrimination by television networks, studios or talent agencies, or gave Class
3 Counsel documents with respect to their claims (regardless whether in response to document
4 production requests), receive development points. Conversely, claimants recently made aware
5 that age may have been a factor in their careers but who took fewer if any of these actions
6 receive fewer if any development points. In the class context, development of a single claim,
7 especially with evidence of discriminatory bias, also helps all other class members.
8 Development of a strong claim is much more valuable to the individual and the class than is
9 development of a weak claim. Even if trial-ready, a weak claim has little value, whereas a trial-
10 ready strong claim has substantial value. To reflect the interaction of claim development and
11 strength of claims, the formula provides for claimants to receive a claim development factor that
12 is multiplied by the number of liability and damage points to yield a number of claim
13 development points.

14 14. Claimants provided the information to the Claims Administrator from which it
15 calculated the claim development factor for non-plaintiffs; we provided the information to the
16 Claims Administrator for plaintiffs. Two claim development factors deserve special mention.
17 Plaintiffs received development points based on the number of cases (if any) for which Class
18 Counsel selected them as a lead plaintiff (discovery was primarily directed by defendants toward
19 the 68 “leads” and not against the other named plaintiffs). Being selected as a lead plaintiff
20 indicates both our assessment of the strength of the individual’s claim and the plaintiff’s ability
21 and willingness to actively support his/her claim and the class allegations. Six plaintiffs also
22 received development points for extraordinary assistance to counsel in developing class-wide
23 evidence of industry practices and potential curative programs including the Fund for the Future
24 while serving on the plaintiffs’ liaison committee. These six plaintiffs have met regularly with
25 me and other class counsel working countless hours advising about industry practices and
26 providing information only available to career professionals often using as examples their own
27 experiences. They thereby developed not only their individual claims but also the claims of the
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1 class.

2 15. The evidence available to us indicates that, if we are correct that there is age
3 discrimination against television writers, that discrimination becomes more pronounced
4 beginning around age 50. Throughout the liability period, writers in their 50's have had far
5 lower rates of employment than have writers in their 40's. Anecdotal evidence also suggests that
6 it is far harder for writers in their 50's to find employment than for writers in their 40's.

7 16. The claim with the greatest value, whether the claimant is a plaintiff in a stand-
8 alone case or a claimant in a second stage proceeding after a finding of a pattern or practice of
9 discrimination, is one with both strong liability evidence and substantial damages. Claimants
10 with overwhelming liability evidence but little if any damages because they found alternative
11 employment that paid more than television writing have claims with little value. Similarly,
12 claimants with huge potential damages but no liability evidence have claims with little value.

13 17. Many claimants were unavailable to work as television writers or were not class
14 members during part of the liability period. Unavailability or exclusion from the class may occur
15 because the claimant was born after 1956 and hence was outside the class during part of the
16 period, died during the period, was an executive or talent agent with one of the defendants, was
17 an executive producer, or was otherwise not interested or available, *e.g.*, because s/he found
18 better paying alternative employment or retired. Whether the claimant is a plaintiff in a stand-
19 alone case or a claimant in a second stage proceeding after a finding of a pattern or practice of
20 discrimination, he or she does not have a viable claim during any period of unavailability and
21 would not receive an award for such a period during litigation.

22
23 I declare under penalty of perjury under the laws of the State of California that the
24 foregoing is true and correct, and that I executed this declaration in Washington, DC on June 4,
25 2010.

26 By:



Paul C. Springer
Lead Class Counsel

Attachment A

Paul Sprenger

From: Paul Sprenger
Sent: Thursday, May 20, 2010 6:16 PM
To:
Cc:
Subject:

Thank you for your proposed weighting for those who were never were able find work writing for TV. We have taken your suggestion into account and given weight to aspiring writers who have had evidence of their ability to write for TV, e.g., securing talent agency representation.

Paul Sprenger

From:
Sent: Thursday, May 20, 2010 5:55 PM
To: Paul Sprenger
Subject: distribution formula comment

To Whom It May Concern,

I propose that the distribution formula be weighted in favor of those who had never been able to or felt they were able to write for television, as theirs is the greater loss, for the unrealized careers foregone... versus those who had experienced some degree of employment or success.

Attachment B

Paul Sprenger

From: Paul Sprenger
Sent: Sunday, May 23, 2010 3:43 PM
To:
Cc:
Subject: RE: suggestions for distribution formula

thank you for your thoughtful comments and analysis and happy birthday.

the formula should be available this week together with an explanation of its application. first, it is complex and I believe is as close to replicating the result had a jury decided the questions of liability and damages upon instructions of the applicable legal standards from a judge. second, I think all of your concerns have been addressed in the formula even if in another related context. for example, damages are automatically mitigated which reduces the income effects you mention. third, when you read the formula and the explanation, I hope you find it addresses the issues fairly --- and I would be pleased to discuss it w/ you then whether it does or not.

Paul Sprenger

From:
Sent: Sun 5/23/2010 1:54 PM
To: psprenger@sprengerandlang.com
Subject: suggestions for distribution formula

Hi Mr. Sprenger.

First and foremost, much thanks to you and the writers who pursued the age discrimination lawsuits - it is remarkable what you have been able to achieve.

I know your formula for distribution is coming imminently, but if it's not too late I have a few suggestions for the formula. After the formula comes out I'm sure I will have further suggestions, and I do expect to ask to speak at the hearing on June 9th, which happens to be my birthday, so that will be my birthday present! I know I will need a written statement for that to happen.

Income is the issue that I want to comment on the most.

First, **timing of income** - I would think it's clear that when income was made that figures into the formula is important. For instance, a much older writer than me who made lots of money in the 1950s and 1960s, but who hadn't earned much money in the many years before 1996....I don't see how that writer's income could be calculated on the same basis as someone like me, whose career in television was from 1982 through 1995, all of it just before the litigation period. Obviously I was affected by the ageism involved in this lawsuit far more than the much older writer who was already pretty much out of things long before 1996.

On the other end of the spectrum, a younger writer than me, who turned 40 after 1996 and who had worked and earned good income after 1996, I would think that income also should not be on the same footing.

My suggestion: Only income earned between, say, the years 1976 (twenty years before 1996) and 2001 (maybe 1996 even?) be considered as a basis for awards. Income before 1976 is too far back to figure into this ageism lawsuit and income earned after 2001 is too recent to show that anybody is permanently affected by ageism. My opinion on that.

And now, even more importantly - **distinguishing producing income from writing income**. This is a major point to me and the one that I would be emphasizing should I have a chance to speak at the hearing on June 9th. If you just look at Writers Guild income records, I would think that it is very hard to distinguish income derived from producing from income that is derived solely from writing. For instance, me: I was never a producer, despite all my successes with episodes, and

every dollar I earned in my career came from writing. I never had producing fees, program fees, or any of the really lucrative stuff that insiders were able to get. To include what is really producing income in calculating awards would be a grave mistake, in my opinion, because **those who could get hired as producers could then go ahead and write**. This point is so very important.

Toward this end, I have friends right now who are in their 40s who are producers and so are able to work as writers. If they were not producers and just writers they wouldn't have a prayer of working. Insiders who earned lots of money as producers in many cases discriminated against writers like me, so to give them large awards based on their producing income is doubly wrong. They made lots of money to begin with, and now you're rewarding them further as "victims" of ageism when some of them were practicing ageism against fellow writers, and others were simply excluding talented writers from the high paying positions. This is what happened, Mr. Lang, and I know others would tell you the same thing.

This is my suggestion, and the thing I am most passionate about: if Writers Guild records cannot in practically be searched to distinguish between producing and writing income, then cap the amount of income that will be considered for awards, and not at a high amount either. My suggestion is that the cap be no more than \$1 million dollars in total, to be considered as a basis for awards. This is so very important and so right in my opinion, and I hope you will hear what's being said here by me and probably others - **a cap on income considered for awards is crucial**.

Mr. Lang, I came to Hollywood after the age of 30 (after a business career), climbed the mountain because I was talented and had a great deal of success in individual episodes and was known as a Grade A writer, but then by that time I was 40 and now I ran into the ageism barrier head on. In reality that ageism barrier was created by networks, in my experience, but agents succumbed to it and younger writers than me used it to keep more talented writers out. Something I see clearly now is that if I had made it to Hollywood in my twenties, my career would have been drastically different. I lived the ageism experience together with others like me, who could never progress to producing no matter what, and that is why I feel so passionate about income limits. I hope you will seriously consider what I am recommending here, because it is the right thing.

Last thing for me, and here I am speaking a bit from the "peanut gallery" but in regard to non professional writers, I would think they would have to get minimum rewards as I don't know how it could be determined if they had the ability to write professionally in the first place. I would think those writers should benefit from the Fund for the Future, however, and should get preference from that.

I will look forward to seeing what the prospective formula calls for and I think you will likely be hearing from me again after that. Thank you again for your efforts on behalf of rank and file writers like me who were the principal victims of the rampant ageism that overtook Hollywood from the 1980s on. It is very much appreciated.

Best to you,

May 24, 2010

To: Paul Sprenger

From:

Re: Comment on the Monetary Award Calculation and Eligibility
Determination in the TV Writers Age Discrimination Case Settlement

I am frankly astonished that the settlement in this case applies to "aspiring" as well as to "actual" television writers age 40 or older.

As a former reader at Universal and Fox, as the former Story Editor of Paramount Pictures, and as a successful screen and television writer, I know there is a vast chasm between the aspiration to write for television and the actual achievement of that goal.

Very few manage to bridge the great gulf between the dream of a writing career and the reality of such a career.

The obstacles are many. Pre-eminent among them: lack of talent, lack of political savvy, lack of persistence, lack of luck.

Ageism rarely comes into play because "aspiring writers" rarely get close enough to the game for agency, network and studio insiders even to know how old they are.

Let me offer some informal statistics.

At Paramount, we accepted submissions only from registered agents and established producers. That means that the teleplays and screenplays we received were pre-selected and represented only a small percentage of the scripts circulating in Hollywood at any given time. Of those pre-selected scripts, perhaps five out of every one hundred showed real talent and had the makings of successful films.

Precise figures are unavailable, but my experience suggests that for every successful writer (and by that, I mean a writer who has an agent and has sold his or her work), there are literally hundreds, if not thousands of "aspiring" writers who simply haven't got the determination, the talent or the political know-how to make it in Hollywood.

What role does ageism play in this? Any answer must be highly speculative. My guess is...very little.

Anyone can "aspire" to a writing career in Hollywood. Very few actually achieve it. Those who fail, look for scapegoats and excuses: network insiders have no taste; they are incapable of recognizing real talent; they give opportunity only to their relatives and friends; and yes, they are prejudiced against anyone over forty.

All of which may sometimes be true. But if the statistics were available, I suspect the numbers would show that age is relatively insignificant factor in the failure to achieve a Hollywood career.

It seems to me that financial losses to an "aspiring" writer are, at best, speculative. The fact of the matter is that most "aspiring" writers will never, under any circumstances, achieve their dream of a career in Hollywood. They simply do not possess the qualities that make for a successful writer. They have literally no earning potential, and their "losses" are, therefore, zero.

I would urge the court, out of a sense of fairness and justice to those claimants who have actually achieved careers as television writers only to have those careers cut short by ageism, to minimize the awards to "aspiring" writers and maximize the awards to those who proved themselves by getting agency representation, winning actual contracts, and yes, occasionally even getting their work produced.

Paul Sprenger

From: Paul Sprenger
Sent: Monday, May 24, 2010 4:12 PM
To:
Cc:
Subject:

Thank you Mr.

We have taken your comments into consideration in designing the formula, under which the aspiring writer class will receive a comparatively smaller percentage of the whole for the reasons you discuss.

Paul Sprenger

From:
Sent: Monday, May 24, 2010 1:52 PM
To: Paul Sprenger
Subject: Comment on Distribution of Monetary Awards in TV Writers Age Discrimination Case Settlement

Dear Mr. Sprenger:

Please find my comment on the distribution of monetary awards, attached to this e-mail.

Sincerely,

Attachment C

Paul Sprenger

From: Paul Sprenger
Sent: Sunday, May 23, 2010 9:24 PM
To:
Cc:
Subject: RE: Comments on TV Writers Settlement Disbursement Formula

I understand your point and would be happy to discuss it with you -- call me tomorrow anytime the formula does take into account your situation but we are limited by the legal guidelines which, as applied to years of career prior to age 40, awards slightly more points for the loss of more years invested. during my personal career as a trial lawyer in this field, I can state unconditionally that juries react much more favorably to those with longer careers when these cases are actually tried. for example, assume multiple pairs of 40 year old, 50 year old and 60 year old cohorts, all former employees terminated for ageist reasons and earning the same, more and less than the paired co-employee. in every instance of which I am aware, the employee with less than five years invested in his career and/or as an employee, much lower than that of the 20 to 30 year career employee. in discussing the basis for such awards with jurors and judges post- trial, it's clear that they consider longer term employees as having greater comparative losses and judges have to exclude evidence offered to show lost potential careers prior to age 40 since it is objectionable as speculative and not relevant to discrimination after age 40.

From:
Sent: Sun 5/23/2010 7:15 PM
To: Paul Sprenger
Subject: Re: Comments on TV Writers Settlement Disbursement Formula

Dear Mr. Sprenger:

Thank you for your reply. I am a professional writer and earned income as a WGA member for 5 years. The point I was trying to make was that for many of us age discrimination was a factor from the moment we first entered the business because we were already near, at or over age 40. We therefore had far less time to make money and establish our reputations, yet the potential loss for us...based on standard industry salary practices...was still considerable.

Unfortunately, it sounds like the most monies will be awarded to those TV writers who had years to earn substantial incomes before they ever faced any age discrimination. Yes they lost a lot, but they also had an opportunity to earn a lot...an opportunity that many of us never got. In effect, the plan is to award the most money to the people who got to work the longest. Those of us who may have only had a chance to work for a year or two before faced with ageism will be awarded the least...discounting the incomes we should have and would have been making had we not been discriminated against and ultimately forced out of the business. Monies should be awarded based on our lost potential incomes which can easily be determined by the average industry/WGA salary for any working TV staff writer with X number of years to their credit. I would love to discuss this with you further over the phone if that is possible. If you'd like to know the specifics of my case in writing I can send you a duplicate copy of my claim form if one is not already readily available to you.

Very Sincerely,

From: Paul Sprenger <psprenger@sprengerandlang.com>

To:

Cc:

Sent: Sun, May 23, 2010 2:11:38 PM

Subject: RE: Comments on TV Writers Settlement Disbursement Formula

Thank you for your comments. I should say first, that I have received significantly more comments asserting that professional writers lost more and should benefit the most. fortunately, we have legal guidelines which provide answers and avoid my taking sides in the debate.

in establishing the formula we must apply the legal standards for liability and damages determinations as if there were no settlement. in doing so, we established the formula in the same way using the same claim form and scoring for all claimants whether professional, amateur or aspiring (the latter two categories are included in the second group and both fall within its definition as not having sold rights to exhibit literary material in a digital format). some claimants in group two are professionals in other writing fields and many, if not most, have never sold any written work to anyone although all have an interest in such work. the issue you pose begs the question of the reasons that claimants in the second group did not work in covered writing jobs prior to age 40 when age discrimination was not a factor.

the legal standard that applies to award monetary damages if the claim were actually tried to a jury requires, as a preliminary showing, evidence that the professional, amateur or aspiring TV writer has sold literary material to a studio or network or could have but for age discrimination. it is unequivocal proof of qualifications and ability to perform the job, e.g., to sell literary material, if, prior to age 40, the writer actually had an agent and sold work to TV. if that initial evidentiary showing is made, the next step is the proper loss calculation, the test being: what the TV writer would have earned had discrimination not entered the picture once he became age 40 years. most professional writers have had 15 year or longer careers selling their work to TV studios until age became a negative factor in their ability to continue at or around age 40. as such, the measure of economic loss is the average high income before age 40 (or before discrimination became a factor) compared to income after discrimination on the job.

the second group will be awarded formula points for agency representation and/or ageist anecdotal evidence as is the first group, regardless of whether they ever worked in a covered TV writing position before age 40.

if you'd like to discuss your particular claim, please feel free to provide me more detail concerning your situation.

Paul Sprenger

From:

Sent: Sun 5/23/2010 12:52 PM

To: psprenger@sprengerandlang.com

Subject: Comments on TV Writers Settlement Disbursement Formula

Dear Mr. Sprenger:

I hope that insult will not be added to injury when the settlement disbursement is calculated. It's bad enough any writer was discriminated against because of age, however, that discrimination created two groups of writers. Those writers who

had a chance to work regularly and make a lot of money prior to being discriminated against and those writers who never got a fair chance to work regularly and establish themselves because they faced age discrimination from the start of their TV careers. It would be eminently unfair to create a disbursement formula that favored the first group of writers over the second, in effect rewarding those writers who were at least lucky enough to work and make substantial incomes for a time while punishing writers in the second group who never enjoyed such an opportunity. The only fair disbursement formula would be one that recognizes writers in the second group are just as deserving as writers in the first group. No discriminated writer's past success, as reflected in their income history, should entitle them to more money than any discriminated writer's stolen potential success which obviously will not be reflected in their income history. Everyone knows that any writer who would have gotten an opportunity to work regularly in television, on any show, would have made a substantial income with substantial salary increases for every year they had the chance to work. It was widespread industry practice to regularly promote TV writers every year they worked starting as staff writers in year one and moving through the ranks in subsequent years as story editor, executive story editor, co-producer, producer, co-executive producer and executive producer. In many cases writers often skipped levels. The point is, these promotions were expected and they came with substantial salary increases. The bottom line is, if writer A had a chance to work and be promoted for example to a producer level before being discriminated against, they should not be entitled to any more disbursement monies than writer B who never got a chance to work long enough to even make it that far because they were facing age discrimination from the first year they became staff writers. I am a writer who falls into the second group and I expect that you as lead counsel in this matter will be looking out for my interests and redressing my economic damages by promoting a fair disbursement formula that is just as generous to discriminated writers who made less income over the years as it is to any writer who enjoyed more success just because they got to work for many years prior to being discriminated against. I would be happy to discuss the matter with you, the court or any other person or group further. Please don't hesitate to contact me. Thank you for your consideration and thank you for your efforts so far on my behalf and on behalf of all the discriminated writers.

Very Sincerely,