

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

CATHLEEN COLVIN *et al.*,

Plaintiffs,

v.

SYRIAN ARAB REPUBLIC,

Defendant.

Civil No. 1:16-cv-01423 (ABJ)

EXPERT REPORT OF DR. MARIA TSENNYKH

I, Dr. Maria Tsennykh, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

I. Introduction & Scope of Opinion

1. I am a director in the Forensic and Litigation practice at FTI Consulting, Inc. (“**FTI**”), a global consulting firm that assists its clients in evaluating complex business issues, including by providing expert opinions on economic loss and other financial aspects of complex disputes. I have over ten years of combined advisory and business experience in complex financial, valuation, accounting, and economic matters, and have directed numerous valuations of businesses and assets.
2. I have been asked by Plaintiffs’ counsel in the above-captioned matter to calculate the economic losses arising from the death of Marie Colvin, who I understand died in the city of

Homs of the Syrian Arab Republic on February 22, 2012.¹ I was also asked to review documents provided by Marie Colvin's estate (the "**Estate**") to calculate any funeral-related expenses.

3. I am submitting this report on a *pro bono* basis. Neither I nor FTI are receiving any form of payment from Plaintiffs or their counsel, although we may be reimbursed for any out-of-pocket travel expenses incurred in connection with preparing this report or any testimony offered to the Court.
4. I completed all the analysis contained in this report. All the conclusions presented in this report are my own and were reached with a reasonable degree of certainty as accepted in my professional field. I take no position on the veracity of the facts alleged or the legitimacy of the legal arguments presented in connection with the underlying case. I reserve the right to amend or supplement this report and the opinions expressed herein to account for any additional information I receive.
5. Below, I set out my qualifications (Section II), an overview of the materials on which I relied in performing my analysis (Section III), my methodology (Section IV), my substantive analysis (Section V), and a summary of my opinions and conclusions (Section VI). This report is further supported by the following: my *curriculum vitae* (Appendix A); brief biographies of journalists interviewed in the preparation of this report for industry-specific information (Appendix B); details for my analysis of Marie Colvin's life expectancy

¹ See, e.g., Declaration of Cathleen Colvin ("C. Colvin Decl.") ¶ 37.

(Appendix C); schedules detailing my calculations of Marie Colvin's lost future income (Appendix D); and a schedule summarizing funeral-related expenses (Appendix E).

II. Qualifications

6. I am qualified to analyze the economic losses resulting from Marie Colvin's death by virtue of my training and more than a decade of professional experience in the fields of financial valuation, accounting, and auditing. I have developed related expertise in core valuation principles, advanced valuation methodology, and complex financial modeling through managing and participating in hundreds of valuation-related projects across the globe. As here, such valuation-related projects have frequently required me to perform case-specific research in order to develop an understanding of the relevant industry. Below, I have summarized my most relevant academic and professional credentials for preparing this report. As noted above, my *curriculum vitae* is appended as Appendix A.
7. I received the U.S. equivalent of a Bachelor's and Master's degree in World Economics and International Economic Relations from Plekhanov Russian University of Economics in Moscow, Russia, with highest honors, in 2005. I then received the U.S. equivalent of a doctorate (Ph.D.) in Economics from the same university in 2009. I have also been accredited as a Chartered Certified Accountant in the United Kingdom since 2010, a qualification that required passing multiple examinations to demonstrate competence in tax, financial, and accounting frameworks and documents, including those specific to the U.K.
8. I have been serving as a director in FTI's Dispute Advisory Services practice since July 31, 2017, and will take on the position of senior director as of April 1, 2018. The Dispute Advisory Services practice includes, among other capabilities, Valuation Services, which incorporate accounting, finance, economics, industry expertise, and a comprehensive

knowledge of valuation principles and methodology. My role in FTI's Dispute Advisory Services practice is to supervise and perform day-to-day activities in support of forensic and litigation consulting projects. I perform technical research utilizing available online tools and publicly available information, analyze and assess complex questions of fact, prepare reports and schedules summarizing findings that will be delivered to clients. I also apply economic, accounting, financial, valuation, and analytical skills to various client situations and practice disciplines, such as detailed reviews of financial statements and underlying accounting records, preparation of complex cash flows projections, and preparation of worksheets to model various business processes.

9. I started my career with the Financial Services Assurance Team of PricewaterhouseCoopers ("PwC") Moscow, where I worked in the Audit and Assurance team from 2004 until 2007. I left PwC briefly to work as an analyst for the infrastructure and project finance (debt advisory) team at Raiffeisen Investment in Moscow from 2007 to 2008. I subsequently returned to PwC as a senior consultant on the valuation and economics team within Corporate Finance at PwC Moscow (2009-2011), and then took on positions as a senior associate on the valuation team within Transaction Services (2011-2014) and as a manager in private equity and transaction services marketing and sales at PwC New York (2014-2017). In those roles, I advised multiple clients in the U.S. and Europe on valuation, accounting, and financial, economic, and strategic marketing matters. As part of that work, I have evaluated numerous financial models and projected financial conditions. I was also involved in hundreds of cash flow projections and discount rate reviews similar to the analysis underlying this report.

III. Basis for Opinion

10. I reviewed a number of documents and other materials about Marie Colvin in preparing this report. At my request and direction, such materials were provided to me by Plaintiffs' counsel. I understand that they were gathered from the Estate, from Plaintiffs themselves, and from Marie Colvin's employer at the time of her death, *The Sunday Times*, a weekly newspaper based in London, United Kingdom. The materials I reviewed are copies of the following:
- a) Last Will and Testament of Marie Colvin and related grant of probate by the High Court of Justice, District Probate Registry at Winchester, United Kingdom;
 - b) Consolidated accounts relating to the administration of the Estate;
 - c) Correspondence relating to the administration of the Estate;
 - d) U.K. and U.S. tax documents submitted by the Estate to corresponding national tax authorities on Ms. Colvin's behalf;
 - e) Documentation for stockholdings connected with Ms. Colvin's employment with *The Sunday Times* (News Corp and Twenty-First Century Fox) and related correspondence;
 - f) Documents and correspondence relating to the pension plan offered by *The Sunday Times* (the News International Pension Plan);
 - g) Documents associated with managing investments belonging to Ms. Colvin;
 - h) Bank statements for accounts belonging to Ms. Colvin;
 - i) Declarations of (i) Cathleen Colvin, sister of Marie Colvin and named plaintiff in this case; (ii) John Witherow, Editor of *The Sunday Times* during most of Marie Colvin's tenure there; (iii) Justine Araya-Colvin, niece of Marie Colvin and named plaintiff in this case (who is a beneficiary of the Estate); and (iv) Christopher Araya-Colvin, nephew of

Marie Colvin and named plaintiff in this case (who is likewise a beneficiary of the Estate).

11. I am familiar with the types of documents listed above through my prior professional experience and U.K.-specific training. Based on that experience, I can confirm that I observed no reason to doubt the authenticity of such documents or the accuracy of their contents.
12. In addition to reviewing the above-described documents, I relied on a number of public-source materials to develop certain elements of my model that I could not otherwise derive from the available information specific to Ms. Colvin. I describe the most notable of these below:
 - a) Valuation Basic Tables provided by the Joint American Academy of Actuaries and Society of Actuaries' Preferred Mortality Oversight Group, as well as mortality data provided by the U.S. National Center for Health Statistics and National Vital Statistics System, which I used to calculate a reasonable estimate for standard life expectancy and probability of natural death but for Marie Colvin's killing in Syria;
 - b) Statistics published by international bodies like the American Journalism Review Archive, the International Federation of Journalists, and the Committee to Protect Journalists, which I used to refine my survivorship models to account for Marie Colvin's added risk of death given her work as a foreign correspondent exposed to war zones;

- c) U.K. government employment statistics, which I reviewed to determine reasonable trajectories of continued employment and retirement;²
 - d) The Consumer Price Index published by the U.S. Department of Labor's Bureau of Labor Statistics and other similar data concerning reporters and correspondents, which I used to model Marie Colvin's potential future income;³
 - e) Data on U.S. Treasury securities provided by the U.S. Department of the Treasury, which I used to model applicable discount rates;⁴ and
 - f) Interviews with several prominent journalists, whom I asked to opine on certain elements of Ms. Colvin's potential career trajectory and their understanding of the industry more generally. I include as Appendix B the names and biographies of persons I interviewed.
13. Finally, I relied on my professional and academic expertise in finance, economics, and accounting to build the underlying valuation model and reach my conclusions. This report was further subject to standard quality check procedures utilized at FTI.

² This included Gov.uk, a U.K. public sector information website created by the U.K. Government Digital Service to provide a single point of access to services. I used U.K. statistics because Marie Colvin's employer is a U.K.-based company and I have seen no evidence that she intended to relocate back to the United States.

³ I use the terms "income" and "earnings" synonymously for purposes of this report. I relied on Marie Colvin's past income as reported on her U.S. Individual Income Tax Returns filed with the U.S. government for the relevant years.

⁴ *Resource Center: Daily Treasury Yield Curve Rates*, U.S. DEP'T OF THE TREASURY (last visited Mar. 20, 2018), <https://www.treasury.gov/resource-center/data-chart-center/interest-rates/Pages/TextView.aspx?data=yield>.

IV. Report Methodology and Factual Predicates

14. My primary assignment in preparing this report was to quantify economic damages arising from the death of Marie Colvin in the Syrian Arab Republic on February 22, 2012. In other words, my task was to quantify the economic value of the life lost. I was asked by Plaintiffs' counsel to calculate this value as of the date this report is to be submitted to the Court, which I understand will be March 22, 2018 (the "**Valuation Date**").⁵ Below, I describe my methodology (Subsection A) and my understanding of the relevant facts based on the sources referenced above (Subsection B).
15. I was also asked by Plaintiffs' counsel to identify and compute any funeral expenses associated with Marie Colvin's death. I did so by reviewing relevant documents provided by the Estate. My findings on this point are detailed in Section V(B) below and further supported by Appendix E.

A. Report Methodology: Gross Earnings

16. Given the circumstances of Marie Colvin's life, I adopted a gross earnings approach for calculating economic damages arising from her premature death, for the reasons set out below.
17. A gross earnings approach defines economic damages as the earnings an individual could reasonably have expected between the actual date of death and the expected date of a natural

⁵ My analysis can easily be recalculated to account for a different valuation date, such as the date when a judgment of the Court is rendered. The valuation date is relevant only to establishing a "present" relative to which the dollar value of the damages calculation is pegged. I can recalculate all such values to account for a different valuation date if requested by the Court to do so.

death. This approach takes into account available information about that individual's existing and planned income-generating activities; expectable shifts in any such earnings or in the overall economy; the expected duration of income-generating activities (including the timing of retirement); general economic factors, including inflation, based on generally-accepted economic models; and the expected timing of that individual's natural death (along with a discount for the risk of death in any prior year due to the dangers of the individual's specific employment, health, etc.).

18. There are alternative approaches that further consider the value of economic losses from an untimely death accruing to a decedent's survivors, such as the lost value of domestic services that the decedent would have otherwise performed. However, I have conservatively excluded such items from consideration because (i) I understand that Marie Colvin was living on her own; and (ii) although I understand that she made frequent high-value contributions to Plaintiffs and her other family members,⁶ it was not possible to quantify such contributions with a sufficient degree of certainty based on the information available.

B. Factual Predicates for Analysis

19. Marie Colvin was employed for many years as a foreign correspondent for *The Sunday Times*, a career in which she was extraordinarily successful and for which she won numerous awards and widespread admiration.⁷ Ms. Colvin earned a regular income from her work for

⁶ From the Declaration of Cathleen Colvin, I understand that such contributions included regular high-value gifts, financing travel, and miscellaneous support of Marie and Cathleen Colvin's mother. See C. Colvin Decl. ¶¶ 31-32; see also Declaration of Justine Araya-Colvin ("J. Araya-Colvin Decl.") ¶¶ 4, 7; Declaration of Chris Araya-Colvin ("C. Araya-Colvin Decl.") ¶ 3.

⁷ See, e.g., C. Colvin Decl. ¶¶ 16, 26; Declaration of John Witherow ("Witherow Decl.") ¶ 25.

The Sunday Times, as well as benefits that included a pension plan, life insurance coverage, and discretionary (though apparently regular) bonuses.⁸ The amount of her income from *The Sunday Times* and related benefits can be seen from the financial and other documents provided to me by her Estate and employer. According to the declarations of Ms. Colvin's sister's and editor, she had no intention to retire or pursue a different position with *The Sunday Times* (such as that of editor), but wanted to continue working as a reporter for the paper as long as she was able to do so.⁹ I therefore based my analysis on the assumption that Ms. Colvin would have continued to draw salary and benefits from *The Sunday Times* consistent with this history until she retired.

20. According to the declarations of Ms. Colvin's sister and her editor, Ms. Colvin's contract with *The Sunday Times* allowed her to pursue other professional activities (such as freelance work, book-writing, etc.).¹⁰ Further, the paper apparently regularly accommodates journalists of her stature in any such pursuits.¹¹ Several factors observable in the materials I reviewed suggest that Ms. Colvin would have pursued such supplemental income-generating activities in addition to her work with *The Sunday Times* had she not been killed, and that she could have been successful in such endeavors. *First*, it is the understanding of Ms. Colvin's sister that she had such plans.¹² *Second*, I understand from interviewing several individuals

⁸ I am aware of these facts through my review of the documents specified in Section III above.

⁹ See C. Colvin Decl. ¶¶ 26-29; Witherow Decl. ¶¶ 35, 37.

¹⁰ See C. Colvin Decl. ¶¶ 24-28; Witherow Decl. ¶ 34.

¹¹ See Witherow Decl. ¶¶ 34-36.

¹² See C. Colvin Decl. ¶¶ 28-29. I note that Cathleen Colvin describes the existence of a "Career Plan," which she says she found in Marie Colvin's London home and describes in her

in Ms. Colvin's field that it is common for reporters of her stature to pursue such activities later in their careers, and that they would have expected Ms. Colvin to be successful had she done so.¹³ *Third*, Ms. Colvin already had a history of engaging in certain of these activities, as follows:

- a) Books: According to the Declaration of Cathleen Colvin, Marie Colvin was offered an advance for a book about Yasser Arafat that she had not yet finished, and she intended to write other books.¹⁴ I also note that a collection of Marie Colvin's work was published posthumously in 2012;¹⁵ that she was the subject of a 2013 book by Paul Conroy;¹⁶ and that a biography is currently being written by a fellow foreign correspondent who knew Ms. Colvin well.¹⁷ The fact that these books were and are being published, and the success of the books already in the public domain¹⁸ suggest that Ms. Colvin's writing, as well as her personal story, are (and thus would have been) marketable as books. Certainly, Ms. Colvin's history, which included, among many others, risking exposure to an attack in order to protect civilians in East Timor, a daring mountain escape from Chechnya, and a horrific injury that cost her vision in one eye in Sri Lanka, was not

Declaration. I was not provided with a copy and therefore base my observations on Cathleen Colvin's account alone.

¹³ A list of the persons interviewed may be found in Appendix B to this report. The use of such interviews is a reasonable and accepted research method in the field of forensic valuation. *See also* Witherow Decl. ¶ 36.

¹⁴ C. Colvin Decl. ¶ 27.

¹⁵ ON THE FRONT LINE: THE COLLECTED JOURNALISM OF MARIE COLVIN (2012).

¹⁶ PAUL CONROY, UNDER THE WIRE: MARIE COLVIN'S FINAL ASSIGNMENT (2013).

¹⁷ C. Colvin Decl. ¶ 27, n.22.

¹⁸ I understand that *On the Front Line* has sold approximately 14,000 copies in eBook form and 8,000 copies in print, raising approximately £70,000 in revenue. C. Colvin Decl. ¶ 27, n.22.

limited to her time in Syria,¹⁹ and therefore the marketability of her potential work cannot be reduced to the attack that killed her.

- b) Film: I understand from the Declaration of Cathleen Colvin and publicly available materials that Marie Colvin had previously been involved in at least two documentary film projects and was actively contemplating pursuing similar projects in the future. Specifically, she had written and produced a movie about Yasser Arafat for the BBC in 1990 and then collaborated on a 2005 documentary about women war journalists called *Bearing Witness*, which received widespread critical acclaim.²⁰ Ms. Colvin had also started a production company with her sister and a friend, which owned the rights to her life story.²¹ Further, it is clear that there is significant public interest in films involving Ms. Colvin; for example, she is the subject of two biopics currently in production,²² as well as of a film based on Mr. Conroy's book about his work with Ms. Colvin, including the Syria trip when she was killed.²³
- c) Freelance work: I understand from the declarations of Ms. Colvin's sister and editor that Ms. Colvin had written articles for publications other than *The Sunday Times*, including

¹⁹ See, e.g., C. Colvin Decl. ¶¶ 21-22; Witherow Decl. ¶¶ 22-26.

²⁰ *Frontline: The Faces of Arafat* (PBS television broadcast Feb. 27, 1990); Bob Eisenhardt and Barbara Kopple, *Bearing Witness* (A&E Network televised documentary 2005); see also C. Colvin Decl. ¶ 28 (describing documentaries and responsive critical acclaim).

²¹ C. Colvin Decl. ¶ 28.

²² I understand that the first film is a Film4 documentary authorized by Marie Colvin's family, and the other is an unauthorized biopic from Thunder Road Pictures. See C. Colvin Decl. ¶ 28, n.25.

²³ See C. Colvin Decl. ¶ 28, n.25.

Rolling Stone, and had planned to do more freelance work,²⁴ which would have generated income beyond her salary from *The Sunday Times*.

d) Paid speaking engagements: According to the declarations of her sister and employer, Ms. Colvin was sought after as a public speaker, although her sister did not know how much she might have earned from such engagements.²⁵ I understand from interviewing individuals in the journalism field that it is not unusual for reporters of Ms. Colvin's standing to command significant fees for public speaking.²⁶

21. In light of the above, it is possible, and perhaps likely, that Marie Colvin would have accomplished far more than can be captured by evaluating only her employment with *The Sunday Times*.²⁷ Further, I can confirm that any income generated from such activities should be included in a gross earnings approach. However, because the documentation for such past and prospective activities beyond Ms. Colvin's employment with *The Sunday Times* is limited, it was not possible for me to quantify such prospective earnings with what I

²⁴ C. Colvin Decl. ¶ 24, n.17; *see also* Witherow Decl. ¶ 34.

²⁵ C. Colvin Decl. ¶ 27, n.20; *see also* Witherow Decl. ¶ 36.

²⁶ *See* Witherow Decl. ¶ 36; *see also supra*, note 13.

²⁷ Marie's former editor, John Witherow is emphatic on this point:

But if she had chosen to, as the years went by, she could have picked up any number of commissions, projects or speaking engagements. There are certainly reporters of Marie's calibre who have successfully done this and been well paid. There would have been few more desirable or experienced insightful speakers than Marie, and she would have been highly paid and in demand. Her earning capacity in that sense is exceptional; her selling point, uniquely above most others. She had, as I described in my piece to her when she died, a winning combination of "guts and glamour" . . .

Witherow Decl. ¶ 36.

view as a reasonable degree of certainty. Thus, I adopted a conservative valuation approach and did not factor these activities into my calculation.

22. Finally, I understand from the documents and declarations with which I was provided that Marie Colvin's work as a foreign correspondent was quite dangerous, but that she was inordinately successful.²⁸ I further understand that she was in good health, in spite of several past injuries, and that such injuries did not impede her in her work.²⁹ As further explained below, these considerations affect my forecasts for when Ms. Colvin would have stopped earning a salary or died if not for the attack that killed her in the Syrian Arab Republic.

V. Analysis

23. In this section, I provide an overview of how I estimated economic damages arising from the untimely death of Marie Colvin by means of the gross earnings approach (Subsection A), and summarize my findings regarding associated funeral expenses (Subsection B).

A. Economic Damages

24. As explained above, to calculate the economic damages arising from the untimely death of Marie Colvin, I developed a model that quantifies, where a documentary basis exists for such projections, the amount Ms. Colvin can reasonably be expected to have earned but for her death in the Syrian Arab Republic on February 22, 2012. As also explained above, I have limited that estimate to expected income related to Ms. Colvin's employment with *The Sunday Times*: i.e., her salary, benefits, and post-retirement pension. My calculations were

²⁸ See, e.g., C. Colvin Decl. ¶¶ 16-19; Witherow Decl. ¶¶ 22-25. This perspective was further confirmed by the journalists I interviewed.

²⁹ See C. Colvin Decl. ¶¶ 21-23; Witherow Decl. ¶ 24.

performed to estimate these amounts as of the Valuation Date. To that end, below I set out the following elements of my analysis: (1) an explanation of how I modeled the timing of shifts in expected income associated with retirement, pension payments, and death in the “but for” scenario; (2) a summary of my analysis of what Ms. Colvin’s earnings would have totaled in that “but for” scenario; and (3) an overview of the interest and discount rates that must be applied to those totals to account for the value of my calculations in “present dollars” (i.e., to reflect the time value of money³⁰ as of the Valuation Date).

1. Projected timeline of income-generating activities

25. To estimate economic damages, my model had to account for the timing of Ms. Colvin’s income-generating activities: in other words, (i) when she would have retired (and thus stopped drawing a salary from *The Sunday Times* and started receiving payments from her pension plan instead); and (ii) when she could have been expected to die (and thus to stop receiving income of any kind) but for the attack in Syria.

(i) Retirement

26. As an employee of *The Sunday Times*, Marie Colvin was a member of the News International Pension Plan. The policy documents for that plan provide for 65 years of age as the “Normal Pension Date,” defined by when an employee would be qualified to draw on her pension

³⁰ Valuation professionals account for the time value of money on the principle that money available at the present time is worth more than the same amount in the future due to its potential earning capacity. This core principle of finance holds that, provided money can earn interest, any amount of money is worth more the sooner it is received.

without special dispensation from her employer.³¹ The News International Pension Plan also allows members to defer retirement and continue paying contributions into the Pension Plan until age 70. Further, under the U.K. Employment Equality (Repeal of Retirement Age Provisions) Regulations of 2011, retirement at 65 may not be made compulsory by employers.³²

27. Accordingly, Marie Colvin was qualified to receive pension payments without her employer's additional consent starting on her 65th birthday or at the point of her actual retirement, whichever came later. And under the above-described 2011 regulation, she could not have been forced to retire, and thus, could have continued to make contributions to her retirement plan, until age 70.
28. According to both her sister and her editor, Marie Colvin did not have specific plans to retire, but instead intended to continue working for as long as possible, nor did she have any significant health problems.³³ In her Declaration, Cathleen Colvin states that Marie Colvin would have "work[ed] her entire life," but would have "at least" stayed with *The Sunday Times* until she was 70, although likely not in war zones after she turned 65.³⁴ John Witherow, Marie's editor, witnessed her dedication to her career and envisioned Marie working with *The Sunday Times* "for as long as she could, even until her seventies if she

³¹ This also appears to be the default retirement age in the United Kingdom more generally. *Default Retirement Age to end this year*, GOV.UK (Jan. 13, 2011), <https://www.gov.uk/government/news/default-retirement-age-to-end-this-year>.

³² The Employment Equality (Repeal of Retirement Age Provisions) Regulations 2011, SI 2011/1069, https://www.legislation.gov.uk/uksi/2011/1069/pdfs/ukxi_20111069_en.pdf.

³³ C. Colvin Decl. ¶¶ 26-29; Witherow Decl. ¶¶ 35-37.

³⁴ C. Colvin Decl. ¶ 26, n.19.

wished,” with increased compensation to reflect her remarkable experience, although perhaps with shorter or less risky assignments.³⁵

29. Thus, I base my model on the assumption that Marie Colvin would have retired from *The Sunday Times* at 70, continuing to make contributions to her retirement (consistent with the News International Pension Plan policy) until that time. As further explained below, it is also relevant to my model that, according to Cathleen Colvin, Marie Colvin was likely to stop field work as a foreign correspondent at 65. However, because 65 is the generic – though not mandatory – retirement age in the United Kingdom, I provide the Court with an estimate based on this assumption as well.³⁶

(ii) Standard life span

30. To reflect the fact that Marie Colvin would have eventually died even in the absence of the attack that killed her in the Syrian Arab Republic, I also estimated Marie Colvin’s life span in the “but for” scenario, i.e. had she not been killed in the February 22, 2012 attack. To do so, I first reviewed the 2012 Life Table published by the U.S. National Center for Health Statistics to determine expected age at death for an individual with Marie’s general characteristics. Under this baseline assumption, Ms. Colvin would have been expected to live until age 84.
31. To this baseline assumption, I added two annual probabilistic adjustments specific to Ms. Colvin, reducing her otherwise-expected income consistent with (1) the annual probability that she would have died sooner than otherwise expected because of her dangerous work and

³⁵ Witherow Decl. ¶ 35.

³⁶ See Appendix D, Schedule 3.

(2) the annual probability of dying generally (for example, from illness or accident), which increases with age. I made these calculations based on available data, including information gathered from interviews affecting survivorship rates for foreign correspondents and similar professionals, as well as typical survivorship rates for persons similarly situated to Ms. Colvin. The first of these adjustments is properly applied only to those years when Ms. Colvin is expected to have continued to work as a foreign correspondent: 65. After that age, given the above-explained assumption that Ms. Colvin would have stopped working in especially dangerous circumstances, I remove that additional annual probability of death from my calculations.

32. My application of these survivorship adjustments is detailed in Appendix C.

2. *Expected future income from employment with The Sunday Times (unadjusted)*

33. As explained above, under a gross earnings approach, my task was to quantify the income Marie Colvin could reasonably have been expected to generate but for her death in Syria. This includes her salary from *The Sunday Times* and any fringe benefits (such as her employer's payments into health and retirement plans or bonuses) until she would have retired, and pension payments thereafter until her natural death. For reasons stated earlier, while it seems likely that Ms. Colvin would have engaged in a range of other income-generating activities, I conservatively did not factor them into my analysis.

34. To estimate income Ms. Colvin was prevented from earning from her employment with *The Sunday Times* because she was killed, I first determined a base-year income, which includes

her basic salary and bonuses, but excludes other benefits such as pension contributions.³⁷ Because Ms. Colvin's earnings varied from year to year, I used her last three years of earnings³⁸ to generate a reasonable income estimate for the hypothetical next year (i.e. the "base year") of her earnings from *The Sunday Times*. This is a standard industry practice used to account for fluctuations in earnings from year to year. Based on these calculations, I value the "base year" of Ms. Colvin's salary and bonus-based earnings at \$118,231.

35. I then estimated a reasonable rate of growth in Ms. Colvin's earnings based on her last three full years of employment, 2009-2011, adjusted to reflect projected economy-wide growth in productivity, the expected rate of inflation, typical earnings of reporters and similar professionals as estimated by the Bureau of Labor Statistics, and Ms. Colvin's experience and seniority. I calculate that rate of growth as 6 percent annually.
36. In addition to this salary-based calculation, I further incorporated income from "fringe benefits," like health insurance and retirement plan contributions, paid out by *The Sunday Times*.³⁹ These included the following:
- i. Contributions made by *The Sunday Times* to Marie Colvin's healthcare benefits, which I estimate at \$1,420 annually based on documents regarding such payments for the period from October 1, 2011 through September 30, 2012⁴⁰; and

³⁷ My calculation of the base-year income also did not include earnings on stocks and bonds, which continue after a person dies and were therefore unaffected.

³⁸ To generate these values, I relied on Marie Colvin's past income as reported on Form 1040 of her U.S. Individual Income Tax Return filed with the U.S. government for the relevant years.

³⁹ These amounts were derived from the documents provided by *The Sunday Times*. These documents were denominated in British pounds. To convert the relevant amounts to dollars, I applied historical currency conversion rates from *The Wall Street Journal* Archive.

ii. Contributions made by *The Sunday Times* to Marie Colvin's pension fund in the amount of \$10,841 annually, based on detailed pay stubs for 2011 and early 2012.⁴¹

37. Based on the above, and as further detailed in Appendix D, I estimate that Ms. Colvin would have derived a total of \$2,249,602 in unadjusted income from her employment with *The Sunday Times* until her retirement if she had not been killed.⁴² This figure reflects a discount based on the survivorship model explained in Section V(A)(1)(ii) above.

38. In addition to these earnings and fringe benefits, Marie Colvin would have received a pension income under the News International Pension Plan after she retired. I calculated this income based on the News International Pension Plan policy and projections of Ms. Colvin's expected contributions to her Plan but for her untimely death (as well as the above-described survivorship model). Based on this analysis, I estimate that Ms. Colvin would have received an additional \$242,111 (unadjusted) in pension income between her expected retirement at 70 and her estimated natural death.⁴³

⁴⁰ The exchange rate to convert British pounds to dollars was based on data archived by *The Wall Street Journal* as for September 30, 2012. I applied a 7 percent annual growth rate in such contributions for projected years; this rate is based on my analysis of historical data provided by *The Sunday Times*.

⁴¹ Because the pension contributions depend on Ms. Colvin's baseline salary, the 6 percent growth rate described above is applicable to this amount beyond the base year.

⁴² If the generic retirement age of 65 is assumed instead, that figure would be \$1,066,077.

⁴³ If the generic retirement age of 65 is assumed instead, that figure would be \$180,257.

3. *Adjustments of amounts to their present value*

39. Finally, in order to present a fair valuation of the projected economic damages from the death of Marie Colvin, the above values must be adjusted in two ways to reflect “present” worth (i.e. an amount in “today’s dollars” as of the Valuation Date).
40. *First*, any expected earnings from the period between Ms. Colvin’s death and the Valuation Date (the “**Interim Period**”) must be adjusted to reflect the opportunity cost of capital. To do so, I applied a rate of return of 5.7 percent to any income expected to have been generated during this period. I derived this rate from my analysis of average returns on investment in immediate annuities, as reported by *The Wall Street Journal*.
41. *Second*, earnings expected after the Valuation Date must be discounted to reflect their worth as of the Valuation Date (reflecting the time value of money). To do so, I selected the latest available 10-Year Treasury Yield rate reported by the U.S. Department of the Treasury as of the date of this report. I applied this rate of 2.85 percent as an annual discount rate to income expected to be generated after the Valuation Date.
42. The application of the above-described adjustments to income projections is detailed in the schedules included in Appendix D.

B. Funeral-Related Expenses

43. I have consolidated the available data on funeral-related expenses, all of which is based on materials supplied by the Estate. Only two entries in the documents provided appeared to qualify; these were labeled (1) “Thanksgiving Service and Memorial” and (2) “Flights for Memorial Service and visits to London on Estate business,” totaling £2,835 and £3,190, respectively. Adjusting for the time value of money and then converting these amounts to

dollars based on the last available currency exchange rate prior to the Valuation Date (i.e. the date of this report), this totals \$11,836. I provide details for my calculations in Appendix E.

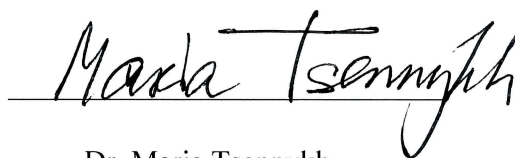
VI. Summary of Opinions

44. Based on the facts and assumptions described above, it is my opinion that the present value of the economic loss associated with Marie Colvin's death on February 22, 2012 based on projections relating to Ms. Colvin's employment with *The Sunday Times*, but without accounting for other potential, and seemingly likely, income streams from activities such as book-writing and film-making is **\$2,370,640**.⁴⁴
45. In addition, the estate of Marie Colvin incurred **\$11,836** in funeral costs and associated expenses as of the Valuation Date.
46. Combined, this totals **\$2,382,476**.

⁴⁴ If the generic retirement age of 65 is assumed instead, that figure would be **\$1,336,730**.

I declare under penalty of perjury that the foregoing is a true statement of my independent professional opinion.

Executed on March 20, 2018 in New York, NY

A handwritten signature in black ink, reading "Maria Tsennykh". The signature is written in a cursive style with a horizontal line underneath the name.

Dr. Maria Tsennykh

APPENDIX A:

Curriculum Vitae of Dr. Maria Tsennykh



FTI Consulting

3 Times Square
9th Floor

New York, NY
10065

Tel: 646 453 1202

Dr. Maria Tsennykh is a director in the FTI Consulting Forensic and Litigation practice, Dispute Advisory Services and is based in New York. She is an economist with 10 years of experience in financial services, including almost 8 years in valuation, analysis, structured finance and audit both in the U.S. and Europe.

Prior to joining FTI Consulting, Dr. Tsennykh was a manager at PwC New York and was an international transferee from PwC Moscow in 2011.

Education

Ph.D. In
Economics,
Plekhanov Russian
University of
Economics,
Moscow

Bachelor's and
Master's (with
highest honors)
in World
Economics and
International
Economic
Relations,
Plekhanov Russian
University of
Economics,
Moscow

Dr. Tsennykh's client list ranged from top list of Fortune 500 to medium sized companies in the retail and consumer, entertainment/media, technology and industrial products sectors. During her last two years at PwC she had a role of leading New York private equity and transaction services strategic marketing initiatives.

Dr. Tsennykh has particular expertise in valuation matters related to deals strategy, various decision-making processes as well as valuation of intangible assets for financial reporting purposes. She has also done extensive work in areas of complex financial modelling and financing structure development with Public Private Partnerships (P3), a concept for infrastructure projects in Europe.

Dr. Tsennykh holds an equivalent Ph.D. in economics and the equivalent of a Master's in World Economics and International Economic Relations obtained from the Plekhanov Russian University of Economics, Moscow. In 2003 Dr. Tsennykh spent half a year studying advanced financial management and strategic marketing at Copenhagen Business School, Denmark.

She is also a Chartered Certified Accountant in the UK (ACCA).

**Professional
Affiliations**

The Chartered
Certified
Accountant in the
UK (ACCA)

Dr. Tsennykh is bilingual in English and Russian, she also has an intermediate knowledge of German.

Dr. Tsennykh has published numerous articles throughout her career. In the past ten years, her sole published work was the following: Maria Tsennykh, Теоретические аспекты консолидации капитала транснациональных компаний [Theoretical aspects of multinational companies' consolidation]. NAT'L INTERESTS: PRIORITIES AND SECURITY, 63 (2008).

APPENDIX B:

Persons Interviewed for Industry-Specific Information

A. David A. Andelman

The following biography of David Andelman appears on Amazon.com and offers what I view as a reasonable representation of his professional qualifications:

David A. Andelman, a veteran *New York Times* and CBS News correspondent, is a member of the board of contributors of *USA Today* and columnist for *CNN Opinion*. For seven years, he served as editor and publisher of *World Policy Journal*, the 35-year-old global affairs magazine published by the World Policy Institute. Previously, he served as Executive Editor of *Forbes.com*, the world's largest business and financial website after serving as Business Editor of *The New York Daily News*. This followed five years as news editor of *Bloomberg News* and *Bloomberg.com*. For 12 years he was a domestic and foreign correspondent for *The New York Times*. He served in various posts in New York and Washington, as Southeast Asia bureau chief, based in Bangkok, then East European bureau chief, based in Belgrade. He then moved to CBS News where he served for seven years as Paris Correspondent. In the course of his career, he has traveled through and reported from 85 countries. He also served for two years as Washington Correspondent for CNBC before moving to Bloomberg. He is the author of three books:

- *The Peacemakers*, published by Harper & Row;
- *The Fourth World War*, published by William Morrow, which he co-authored with the Count de Marenches, long-time head of French intelligence;
- *A Shattered Peace: Versailles, 1919 and the Price We Pay Today*, published by John Wiley & Sons in 2007.

David has written for such publications as *Harpers*, *The Atlantic*, *The New Republic*, *The New York Times Magazine*, *Foreign Policy* and *Foreign Affairs*. He is a graduate of Harvard University and the Columbia University Graduate School of Journalism, and is a member of the Century Association, the Council on Foreign Relations, the Grolier Club, and the National Press Club. He is president-emeritus of the Overseas Press Club and member of its board of governors. He is also [sic] 1st vice president of the Society of the Silurians and membership of the Leadership Council of the Committee to Protect Journalists. He recently re-

launched his career as a SAG/AFTRA-member voiceover artist and speaks widely to business audiences on global risk.⁴⁵

B. John Daniszewski

John Daniszewski is currently working as Vice President and Editor at Large for Standards at The Associated Press (“AP”). In his 40 years of experience as a news professional, Daniszewski has reported from over 70 countries and overseen more than 100 international news bureaus in the reporting and production of the AP’s global news report. Daniszewski was previously a foreign correspondent with *Los Angeles Times*, where during for ten years he reported on events in the Middle East, Africa, Asia, and Europe, including the wars in Iraq, Afghanistan, and the Balkans; as well as political upheavals in places as diverse as Russia, Syria, and the Congo, and the shifting power and social dynamics of Iran, Egypt, and the United Kingdom.

The following additional details about Daniszewski’s career were published in connection with his election to the Pulitzer Price Board in 2013:

In 2001, he covered the aftermath of the 9/11 attacks in Pakistan and Afghanistan, and he stayed in Baghdad throughout the U.S. invasion and the toppling of Saddam Hussein's regime in 2003. He was part of a team that won an Overseas Press Club award in 2007 and that was a Pulitzer Prize finalist that year for coverage of Iraq’s descent into civil war.

Daniszewski began his journalism career as a stringer for the AP while an undergraduate at the University of Pennsylvania. He joined the AP staff in Philadelphia in 1979 and later worked in Harrisburg and on the national and international editing desks in New York. In 1987, he was assigned overseas to Warsaw, Poland. There he covered the revival of Solidarity and the end of Communist rule. In 1989, he was shot and wounded in Timisoara, Romania,

⁴⁵ *Amazon Profile of David A. Andelman*, AMAZON, <https://www.amazon.com/David-A.-Andelman/e/B0032IJ7PQ> (last visited Feb. 23, 2018).

during the uprising against Nicolae Ceausescu's communist regime. He later covered wars across the former Yugoslavia, including the siege of Sarajevo.

In 1993, he became AP's bureau chief in Johannesburg, South Africa. He led the AP's coverage of the election of President Nelson Mandela and the end of apartheid before leaving in 1996 to go to the Times. He returned to AP as international editor in 2006 and was named a managing editor the next year.⁴⁶

Daniszewski also serves as a member of the advisory board of the Marie Colvin Center for International Reporting at Stony Brook University.

C. Anthony Loyd

Anthony Loyd has been a foreign war correspondent for *The Times* for over 20 years. Loyd began reporting for *The Times* during the 1993 war in Bosnia and has since covered conflicts around the world, including in Chechnya, Sierra Leone, Afghanistan, Kosovo, Iraq, and Libya. He has received recent acclaim for his extensive coverage of the conflict in Syria. In 2013, Loyd won four major awards for the newspaper for articles he wrote on, *inter alia*, the Syrian regime's systematic use of torture against civilians and fighting in Aleppo.

In 1999, he published the book, *My War Gone By, I Miss It So*, about life as a foreign war correspondent and battling addiction. He is also the author of the memoir, *Another Bloody Love Letter*, published in 2007, about his life while reporting in the Balkans, Afghanistan and Iraq. In 2014, Loyd was kidnapped, shot at, and severely beaten by rebel fighters in Syria entrusted to help him cross the border to Turkey. He managed to escape during a confrontation between the men holding him hostage and other rebel fighters.

⁴⁶ *John Daniszewski, Associated Press News Executive and Foreign Affairs Specialist, named to Pulitzer Prize Board*, THE PULITZER PRIZES (May 1, 2013), <http://www.pulitzer.org/news/john-daniszewski-associated-press-news-executive-and-foreign-affairs-specialist-named-pulitzer-prize>.

APPENDIX C:**Life Expectancy Calculation**

The joint probability of survival is calculated using the formula detailed below, which takes into account information about known risks associated with war journalism:

$$Px = Px-1 \times (1 - qp) (1 - qWZ) \quad \text{Formula (1)}$$

Where:

Px is the probability to survive at any given year within the range of 1 to x years (year 0 is the year Marie Colvin started working for The Sunday Times as a foreign correspondent exposed to war zones).

qp is the probability of death from natural causes in any prior year.⁴⁷

qWZ is the annual average probability of death as a foreign correspondent working on dangerous assignments (see Formula 2, below).

The annual average probability of death for an American⁴⁸ foreign correspondent or reporter working in a war zone (qWZ) was calculated using the following formula:

$$qWZ = N \text{ killed } WZ / \text{Total } N \text{ WZ} \quad \text{Formula (2)}$$

Where:

$N \text{ killed } WZ$ is the average annual number of American reporters⁴⁹ killed in war zones.

⁴⁷ AM. ACAD. OF ACTUARIES/SOC'Y OF ACTUARIES, 2008 VALUATION BASIC TABLE: REPORT PRESENTED TO THE NAT'L ASS'N OF INS. COMM'RS' LIFE AND HEALTH ACTUARIAL TASK FORCE 57-58 (2008), http://www.actuary.org/pdf/life/tables_march08.pdf.

⁴⁸ My analysis of death rates for reporters since 1992 shows that there is a higher probability of being killed as an American correspondent than for a correspondent of any other nationality. I have therefore conservatively used this higher probability given Ms. Colvin's American passport.

Total N WZ is the total number of full-time foreign correspondents employed in war zones by U.S. newspapers as of 2011.

The average annual number of American foreign correspondents and reporters killed globally per year on dangerous assignments was derived from data compiled by the Committee to Protect Journalists.⁵⁰

The total number of full-time foreign correspondents employed by U.S. newspapers in 2011 was taken from *American Journalism Review* archive.⁵¹

The approximate number of full-time foreign correspondents working on dangerous assignments, as compared to all full-time foreign correspondents, was derived from interviews with journalists currently employed by the largest U.S. newspapers and news channels.

⁴⁹ This figure excludes those who are not employed by news organizations (e.g. freelance journalists, etc.).

⁵⁰ *Journalists Killed between 1992 and 2018*, COMMITTEE TO PROTECT JOURNALISTS (last visited Mar. 17, 2018), <https://cpj.org/killed/>.

⁵¹ *Foreign Correspondents: Who Covers What*, AMERICAN JOURNALISM REVIEW (Dec.-Jan. 2011), <http://ajrarchive.org/article.asp?id=4997>.

APPENDIX D:

Schedules Detailing Calculations of Marie Colvin's Lost Future Income

Schedule 1:
Marie Colvin's Lost Income Between Date of Death and Valuation Date ("Interim Period")

| Description | PRE-DEATH PERIOD | | | Fiscal Year PRE-VALUATION DATE PERIOD (INTERIM PERIOD) | | | | | | |
|--|------------------|-----------|------------|---|------------|------------|------------|------------|-------------------|------------|
| | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 |
| Colvin Age (Years) | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 |
| Calendar Years | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 |
| Salary, incl. annual bonuses and other benefits | \$ 99,879 | \$ 98,560 | \$ 111,539 | \$ 118,231 | \$ 125,325 | \$ 132,845 | \$ 140,815 | \$ 149,264 | \$ 158,220 | \$ 167,713 |
| <i>(Growth Rate)</i> | | -1% | 13% | 6% | 6% | 6% | 6% | 6% | 6% | 6% |
| Employer's Private Medical Insurance Payment | | \$ 1,255 | \$ 1,220 | \$ 1,420 | \$ 1,519 | \$ 1,625 | \$ 1,739 | \$ 1,861 | \$ 1,991 | \$ 2,131 |
| <i>(Growth Rate)</i> | | | -3% | 16% | 7% | 7% | 7% | 7% | 7% | 7% |
| Employer Contributions to the Pension Plan | | | | \$ 10,841 | \$ 11,492 | \$ 12,181 | \$ 12,912 | \$ 13,687 | \$ 14,508 | \$ 15,378 |
| <i>(Growth Rate)</i> | | | | 6% | 6% | 6% | 6% | 6% | 6% | 6% |
| Total Lost Interim Period Income (Unadjusted) | | | | \$ 130,492 | \$ 138,336 | \$ 146,651 | \$ 155,467 | \$ 164,812 | \$ 174,719 | \$ 185,222 |
| Survival probabilities: | | | | | | | | | | |
| <i>Probability of death as a foreign correspondent in a war zone (based on Marie Colvin's age) (A)</i> | | | | 25.17% | 25.97% | 26.76% | 27.55% | 28.32% | 29.09% | 29.84% |
| <i>The annual probability of death generally (B)</i> | | | | 0.46% | 0.03% | 0.02% | 0.02% | 0.01% | 0.01% | 0.01% |
| <i>Joined Probability of death (A + B)</i> | | | | 25.6% | 26.0% | 26.8% | 27.6% | 28.3% | 29.1% | 29.9% |
| <i>Joined Probability of survival</i> | | | | 74.4% | 74.0% | 73.2% | 72.4% | 71.7% | 70.9% | 70.1% |
| Total Lost Interim Period Income (Adjusted for Probability of Survival) | | | | \$ 97,035 | \$ 102,357 | \$ 107,367 | \$ 112,614 | \$ 118,113 | \$ 123,878 | \$ 129,924 |
| Partial period adjustment | | | | 0.86 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 0.21 |
| Mid-year conversion | | | | 6.50 | 5.50 | 4.50 | 3.50 | 2.50 | 1.50 | 0.50 |
| Present value factor at rate of return | 5.7% | | | 1.4338 | 1.3565 | 1.2833 | 1.2141 | 1.1486 | 1.0867 | 1.0281 |
| Present Value of Lost Interim Period Income | | | | \$ 119,226 | \$ 138,845 | \$ 137,788 | \$ 136,727 | \$ 135,670 | \$ 134,619 | \$ 28,525 |
| TOTAL Present Value of Adjusted Lost Interim Period Income for the Period from 2/22/2012 to 3/20/2018 | | | | | | | | | \$ 831,399 | |

Note:

- All dollar (\$) values are in USD.

**Schedule 2:
Marie Colvin's Lost Future Income Assuming Retirement at 70**

| Colvin Age (Years) Calendar Years | Fiscal Year PROJECTED PERIOD (POST-INTERIM) | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|---------------------|
| | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 70* | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | |
| | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 | 2024 | 2025 | 2026 | 2026 | 2027 | 2028 | 2029 | 2030 | 2031 | 2032 | 2033 | 2034 | 2035 | 2036 | 2037 | 2038 | 2039 | 2040 | |
| Salary, incl. annual bonuses and other benefits <i>(Growth Rate)</i> | \$ 167,713 | \$ 177,776 | \$ 188,443 | \$ 199,749 | \$ 211,734 | \$ 224,438 | \$ 237,905 | \$ 252,179 | \$ 267,310 | | | | | | | | | | | | | | | | |
| Employer's Private Medical Insurance Payment <i>(Growth Rate)</i> | \$ 2,131 | \$ 2,280 | \$ 2,439 | \$ 2,610 | \$ 2,793 | \$ 2,988 | \$ 3,197 | \$ 3,421 | \$ 3,661 | | | | | | | | | | | | | | | | |
| Employer Contributions to the Pension Plan <i>(Growth Rate)</i> | \$ 15,378 | \$ 16,301 | \$ 17,279 | \$ 18,316 | \$ 19,415 | \$ 20,580 | \$ 21,815 | \$ 23,123 | \$ 24,511 | | | | | | | | | | | | | | | | |
| Pension payments | | | | | | | | | | \$ 17,303 | \$ 17,303 | \$ 17,303 | \$ 17,303 | \$ 17,303 | \$ 17,303 | \$ 17,303 | \$ 17,303 | \$ 17,303 | \$ 17,303 | \$ 17,303 | \$ 17,303 | \$ 17,303 | \$ 17,303 | \$ 17,303 | |
| Total Lost Future Income (Unadjusted) | \$ 185,222 | \$ 196,357 | \$ 208,161 | \$ 220,675 | \$ 233,942 | \$ 248,006 | \$ 262,917 | \$ 278,724 | \$ 295,481 | \$ 17,303 | \$ 17,303 | \$ 17,303 | \$ 17,303 | \$ 17,303 | \$ 17,303 | \$ 17,303 | \$ 17,303 | \$ 17,303 | \$ 17,303 | \$ 17,303 | \$ 17,303 | \$ 17,303 | \$ 17,303 | \$ 17,303 | |
| Survival Probabilities: <i>Probability of death as a foreign correspondent in a war zone (based on Marie Colvin's age) (A)</i> | 29.84% | 30.59% | 31.34% | 32.07% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | |
| <i>The annual probability of death generally (B)</i> | 0.01% | 0.01% | 0.01% | 0.01% | 0.01% | 0.01% | 0.01% | 0.01% | 0.02% | 0.02% | 0.02% | 0.02% | 0.03% | 0.03% | 0.03% | 0.04% | 0.04% | 0.04% | 0.05% | 0.05% | 0.05% | 0.05% | 0.06% | 0.06% | |
| <i>Joined Probability of death (A + B)</i> | 29.85% | 30.60% | 31.34% | 32.08% | 0.01% | 0.01% | 0.01% | 0.01% | 0.02% | 0.02% | 0.02% | 0.02% | 0.03% | 0.03% | 0.03% | 0.04% | 0.04% | 0.04% | 0.05% | 0.05% | 0.05% | 0.05% | 0.06% | 0.06% | |
| <i>Joined Probability of survival</i> | 70.15% | 69.40% | 68.66% | 67.92% | 99.99% | 99.99% | 99.99% | 99.99% | 99.98% | 99.98% | 99.98% | 99.98% | 99.97% | 99.97% | 99.97% | 99.96% | 99.96% | 99.96% | 99.95% | 99.95% | 99.95% | 99.95% | 99.94% | 99.94% | |
| Total Lost Future Income (Adjusted for Probability of Survival) | \$ 129,926 | \$ 136,265 | \$ 142,914 | \$ 149,888 | \$ 233,923 | \$ 247,985 | \$ 262,890 | \$ 278,688 | \$ 295,433 | \$ 17,300 | \$ 17,299 | \$ 17,299 | \$ 17,298 | \$ 17,297 | \$ 17,297 | \$ 17,296 | \$ 17,296 | \$ 17,295 | \$ 17,295 | \$ 17,294 | \$ 17,294 | \$ 17,294 | \$ 17,293 | \$ 17,293 | |
| Discount Rate | 2.85% | | | | | | | | | | | | | | | | | | | | | | | | |
| Partial period adjustment | 0.86 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 0.03 | 0.97 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 0.03 | |
| Mid-year conversion | 0.50 | 1.50 | 2.50 | 3.50 | 4.50 | 5.50 | 6.50 | 7.50 | 8.50 | 8.50 | 9.50 | 10.50 | 11.50 | 12.50 | 13.50 | 14.50 | 15.50 | 16.50 | 17.50 | 18.50 | 19.50 | 20.50 | 21.50 | 22.50 | |
| Present value factor at discount rate | 0.99 | 0.96 | 0.93 | 0.91 | 0.88 | 0.86 | 0.83 | 0.81 | 0.79 | 0.79 | 0.77 | 0.74 | 0.72 | 0.70 | 0.68 | 0.67 | 0.65 | 0.63 | 0.61 | 0.59 | 0.58 | 0.56 | 0.55 | 0.53 | |
| Present Value of Total Lost Future Income | \$ 109,786 | \$ 130,640 | \$ 133,219 | \$ 135,848 | \$ 206,136 | \$ 212,472 | \$ 219,001 | \$ 225,728 | \$ 6,688 | \$ 13,186 | \$ 13,246 | \$ 12,878 | \$ 12,521 | \$ 12,174 | \$ 11,836 | \$ 11,508 | \$ 11,189 | \$ 10,878 | \$ 10,576 | \$ 10,283 | \$ 9,998 | \$ 9,721 | \$ 9,451 | \$ 277 | |
| Total Adjusted Lost Future Income (3/21/18 - 1/12/40) + Interim Period (2/22/12- 3/20/18) (See Schedule 1) | | | | | | | | | | | | | | | | | | | | | | | | \$ 1,539,241 | |
| Total Adjusted Lost Income | | | | | | | | | | | | | | | | | | | | | | | | | \$ 831,399 |
| | | | | | | | | | | | | | | | | | | | | | | | | | \$ 2,370,640 |

Notes:

1. All dollar (\$) values are in USD.
2. Because Marie Colvin was born in January, the year of her retirement appears in my model twice, as her expected retirement would be around her birthday and I therefore account for the shift from earned income to retirement income to occur partway through the year. The post-retirement shift is indicated by an asterisk (*) for the Court's convenience.

**Schedule 3:
Marie Colvin's Lost Future Income Assuming Retirement at 65**

| Colvin Age (Years) | Fiscal Year | | | | | | | | | | | | | | | | | | | | | | | |
|--|---------------------------------|-------------------|-------------------|-------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|---------------------|
| | PROJECTED PERIOD (POST-INTERIM) | | | | | | | | | | | | | | | | | | | | | | | |
| Calendar Years | 2018 | 2019 | 2020 | 2021 | 2021* | 2022 | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 | 2029 | 2030 | 2031 | 2032 | 2033 | 2034 | 2035 | 2036 | 2037 | 2038 | 2039 | 2040 |
| Salary, incl. annual bonuses and other benefits <i>(Growth Rate)</i> | \$ 167,713 6% | \$ 177,776 6% | \$ 188,443 6% | \$ 199,749 6% | | | | | | | | | | | | | | | | | | | | |
| Employer's Private Medical Insurance Payment <i>(Growth Rate)</i> | \$ 2,131 7% | \$ 2,280 7% | \$ 2,439 7% | \$ 2,610 7% | | | | | | | | | | | | | | | | | | | | |
| Employer Contributions to the Pension Plan <i>(Growth Rate)</i> | \$ 15,378 6% | \$ 16,301 6% | \$ 17,279 6% | \$ 18,316 6% | | | | | | | | | | | | | | | | | | | | |
| Pension payments | | | | | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 |
| Total Lost Future Income (Unadjusted) | \$ 185,222 | \$ 196,357 | \$ 208,161 | \$ 220,675 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 | \$ 9,663 |
| Survival Probabilities: | | | | | | | | | | | | | | | | | | | | | | | | |
| <i>Probability of death as a foreign correspondent in a war zone (based on Marie Colvin's age) (A)</i> | 29.84% | 30.59% | 31.34% | 32.07% | 32.07% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% |
| <i>The annual probability of death generally (B)</i> | 0.01% | 0.01% | 0.01% | 0.01% | 0.01% | 0.01% | 0.01% | 0.01% | 0.01% | 0.02% | 0.02% | 0.02% | 0.03% | 0.03% | 0.03% | 0.04% | 0.04% | 0.04% | 0.05% | 0.05% | 0.05% | 0.05% | 0.06% | 0.06% |
| <i>Joined Probability of death (A + B)</i> | 29.85% | 30.60% | 31.34% | 32.08% | 32.08% | 0.01% | 0.01% | 0.01% | 0.01% | 0.02% | 0.02% | 0.02% | 0.03% | 0.03% | 0.03% | 0.04% | 0.04% | 0.04% | 0.05% | 0.05% | 0.05% | 0.05% | 0.06% | 0.06% |
| <i>Joined Probability of survival</i> | 70.15% | 69.40% | 68.66% | 67.92% | 67.92% | 99.99% | 99.99% | 99.99% | 99.99% | 99.98% | 99.98% | 99.98% | 99.97% | 99.97% | 99.97% | 99.96% | 99.96% | 99.96% | 99.95% | 99.95% | 99.95% | 99.95% | 99.94% | 99.94% |
| Total Lost Future Income (Adjusted for Probability of Survival) | \$ 129,926 | \$ 136,265 | \$ 142,914 | \$ 149,888 | \$ 6,563 | \$ 9,662 | \$ 9,662 | \$ 9,662 | \$ 9,662 | \$ 9,661 | \$ 9,661 | \$ 9,661 | \$ 9,660 | \$ 9,660 | \$ 9,660 | \$ 9,659 | \$ 9,659 | \$ 9,659 | \$ 9,659 | \$ 9,658 | \$ 9,658 | \$ 9,658 | \$ 9,658 | \$ 9,658 |
| Discount rate | 2.85% | | | | | | | | | | | | | | | | | | | | | | | |
| Partial period adjustment | 0.86 | 1.00 | 1.00 | 0.03 | 0.97 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 0.03 |
| Mid-year conversion | 0.50 | 1.50 | 2.50 | 3.50 | 3.50 | 4.50 | 5.50 | 6.50 | 7.50 | 8.50 | 9.50 | 10.50 | 11.50 | 12.50 | 13.50 | 14.50 | 15.50 | 16.50 | 17.50 | 18.50 | 19.50 | 20.50 | 21.50 | 22.50 |
| Present value factor at discount rate | 0.99 | 0.96 | 0.93 | 0.91 | 0.91 | 0.88 | 0.86 | 0.83 | 0.81 | 0.79 | 0.77 | 0.74 | 0.72 | 0.70 | 0.68 | 0.67 | 0.65 | 0.63 | 0.61 | 0.59 | 0.58 | 0.56 | 0.55 | 0.53 |
| Present Value of Total Lost Future Income | \$ 109,786 | \$ 130,640 | \$ 133,219 | \$ 3,812 | \$ 5,761 | \$ 8,515 | \$ 8,279 | \$ 8,049 | \$ 7,826 | \$ 7,609 | \$ 7,398 | \$ 7,192 | \$ 6,993 | \$ 6,799 | \$ 6,610 | \$ 6,427 | \$ 6,248 | \$ 6,075 | \$ 5,907 | \$ 5,743 | \$ 5,584 | \$ 5,429 | \$ 5,278 | \$ 155 |
| Total Adjusted Lost Future Income (3/21/18 - 1/12/40) | | | | | | | | | | | | | | | | | | | | | | | | \$ 505,331 |
| + Interim Period (2/22/12- 3/20/18) (See Schedule 1) | | | | | | | | | | | | | | | | | | | | | | | | \$ 831,399 |
| Total Adjusted Lost Income | | | | | | | | | | | | | | | | | | | | | | | | \$ 1,336,730 |

Notes:

1. All dollar (\$) values are in USD.
2. Because Marie Colvin was born in January, the year of her retirement appears in my model twice, as her expected retirement would be around her birthday and I therefore account for the shift from earned income to retirement income to occur partway through the year. The post-retirement shift is indicated by an asterisk (*) for the Court's convenience.

APPENDIX E:

Summary of Funeral-Related Expenses

Schedule 4:
Summary of Funeral-Related Expenses for Marie Colvin

| | Amount (£) | Exchange Rate (\$/£) | Amount (\$) |
|--|----------------|-------------------------|------------------|
| Item 1* | | | |
| <u>Thanksgiving Service and Memorial</u> | | | |
| - Printing Order of Service | £ 800 | 1.57 [1] | \$ 1,254 |
| - Music and Verger | £ 1,100 | 1.57 [1] | \$ 1,724 |
| - Donation to Church | £ 500 | 1.57 [1] | \$ 783 |
| - Flowers | £ 435 | 1.57 [1] | \$ 682 |
| Total for Item 1 as of the date of death (2/22/2012) (Unadjusted): | £ 2,835 | 1.57 [1] | \$ 4,442 |
| Period (years) until the Valuation date | 6.08 | | |
| Present value factor at rate of return | 5.7% | | |
| Total for Item 1 as of the Valuation Date (3/22/2018) (Adjusted to reflect the time value of money as of the Valuation Date): | £ 3,971 | 1.40 [2] | \$ 5,569 |
| Item 2* | | | |
| - Flights for Memorial Service and visits to London on Estate business as of the date of death (2/22/2012) (Unadjusted): | £ 3,190 | 1.57 [1] | \$ 4,999 |
| Period (years) until the Valuation date | 6.08 | | |
| Present value factor at rate of return | 5.7% | | |
| Total for Item 2 as of the Valuation Date (3/22/2018) (Adjusted to reflect the time value of money as of the Valuation Date): | £ 4,469 | 1.40 [2] | \$ 6,267 |
| Total funeral-related expenses as of the date of death (2/22/2012) (Unadjusted): | £ 6,025 | 1.57 [1] | \$ 9,441 |
| Total funeral-related expenses as of Valuation Date (3/22/2018) (Adjusted to reflect the time value of money as of the Valuation Date): | £ 8,440 | 1.40 [2] | \$ 11,836 |

Notes:

* The text describing items totaled in this schedule is quoted verbatim from the consolidated administration accounts documents obtained from the Marie Colvin estate. The estate was unable to provide any further detail or clarification regarding these items.

[1] Exchange Rate (\$/£) as of the date of death (2/22/2012) (based on data published in *The Wall Street Journal* archive).

[2] All amounts subject to this label are converted from GBP to USD using the exchange rate as of the date of my report. As the relevant values remain reasonably stable day-to-day, I view this as a reasonable proxy for calculating the equivalent value 2 days later, on the Valuation Date. In my experience, I would expect the total adjusted as of the Valuation Date to be nearly identical to one calculated as of the date of my report.