

## Usama Abujbarah's Estimated Economic and Non-Economic Damages

### Lost Compensation and Benefits from 9/9/2013 – 8/4/2013

Gross wages per Employment Agreement	\$112,961.18
Value of Medical Benefits	\$ 18,557.00
Value of Dental (annualized)	\$ 1,241.90
Value of Vision (annualized)	\$ 190.63
Value of Basic Life/AD & D (annualized)	\$ 1,458.65
Value of Automobile Allowance	\$ 5,500.00
Total	<u>\$139,909.36</u>

In addition, Claimant's reputation and character have been severely injured so that he will not be able to obtain substantially similar employment as a town or city manager or similar position in the public or private sector. Consequently, he will suffer future lost wages and benefits from and after August 4, 2014 in an amount no less than \$180,000 annual until age 66 which is four additional years of future lost wages totaling \$720,000.

In addition, Claimant is a participant in the Arizona State Retirement System ("ASRS"). Based upon available information, Claimant estimates that had he not been terminated but allowed to remain in his position as Town Manager for the duration of his Employment Agreement (August 5, 2014), his monthly retirement benefit at age 62 would be \$3,427 and the surviving spouse benefit would be \$1,713 per month. Given his current status, however, as being terminated effective September 9, 2013, his monthly retirement benefit at age 61 using the ASRS calculations will be \$3,194 and the surviving spouse benefit will be \$1,597 per month. Using current mortality tables to determine life expectancy and after discounting to present value, the diminution in value of Claimant's retirement benefit is \$87,000.

In addition, the manner in which Claimant was terminated by the Town and the Individual Councilmembers has injured his reputation and standing in the community in which he resides and has caused emotional distress and mental anguish after having served as Town Manager for 14 years, being dismissed under circumstances that created the appearance that he may have acted improperly while employed as Town Manager (which Claimant vehemently denies) including implied financial irregularities regarding Town funds. These circumstances have resulted in non-economic injuries of \$1,000,000.

In addition, the actions of the Individual Councilmembers (both before and after assuming office) was done with malice and/or an intentional or reckless disregard of clearly established rights guaranteed Claimant under state and federal statutory

and constitutional law so as to make the Individual Councilmembers individually liable in their individual capacities for punitive damages in an amount no less than \$1,000,000\_\_\_\_\_.

Finally, Claimant has incurred attorneys' fees and costs to date in the amount of \$16,808.25\_\_\_\_\_.

#### SUMMARY

Lost Wages & Benefits to 8/4/14	\$ 139,909.36
Lost Future Wages & Benefits (post-8/4/14)	\$ 720,000.00
Diminution in Value of Retirement Benefits	\$ 87,000.00
Emotional Distress/Injury to Reputation	\$1,000,000.00
Punitive Damages (individual capacity liability only)	\$1,000,000.00
Attorneys' Fees and Costs to date	\$ 16,808.25
<b>TOTAL AMOUNT OF CLAIM</b>	<b>\$2,963,717.61</b>

Accordingly, Claimants' total claim is no less than \$\_\_\_\_\_.

\*\*\* The information and calculations in this Estimated Economic and Non-economic Damages are subject to Rule 408 of the Arizona Rules of Evidence and Rule 408 of the Federal Rules of Evidence.