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June 6, 2011

To the Honorable Members of the Pennsylvania Senate:

The undersigned representatives of chambers of commerce throughout Pennsylvania are writing to urge your support for SB 2 and HB 1, the Fair Share Act, both of which are currently before the Senate for consideration.

It is imperative that the legislature confront Pennsylvania's perilous legal climate, which for too long has stifled the business community and deterred job creation and expansion. As representatives of and advocates for the business community in your respective districts and across Pennsylvania, we know first-hand that failure to enact commonsense legal reform has hindered Pennsylvania's efforts to compete with other states in attracting new businesses and enticing existing Pennsylvania companies to expand operations. The Pennsylvania Senate can take a key step toward improving conditions for current and prospective Pennsylvania businesses by passing the Fair Share Act, which provides reasonable reforms to the rule of joint and several liability.

The unjust legal doctrine of joint and several liability holds a defendant in a lawsuit liable for the entire verdict regardless of proportion of fault if other named defendants are unable to pay. Plaintiff's attorneys have taken advantage of this rule by targeting "deep pocket" defendants based not on the degree to which they are responsible for the injury, but on their ability to pay large settlements. This rule is fundamentally unfair; yet the extent to which the rule of joint and several liability has been abused calls for a decisive and timely response from the General Assembly. Businesses need to be treated fairly by not holding them responsible for harm they do not cause. This means that a defendant should only be required to pay the percentage of a judgment that matches their responsibility for any harm caused, as opposed to being held fully liable as they are under current law.

The Fair Share Act eliminates joint and several liability in the recovery of all damages unless a defendant is held more than 60 percent liable, in which case the defendant would be liable for the entire verdict if other defendants are unable to pay. Moreover, the Fair Share Act provides that joint and several liability could still be applied in cases when a defendant is found liable for intentional fraud or tort, held liable for environmental hazards or held civilly liable as a result of drunk driving.

The House of Representatives passed HB 1 on April 11, 2011 with the exact language as was twice passed with bipartisan support by previous General Assemblies before being overturned by the courts on a technicality and then, a few years later, vetoed by then-Governor Rendell. Over 40 states have repealed joint and several liability, enacted

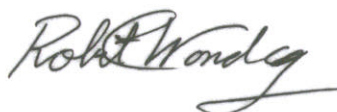
reforms similar to those proposed in SB 2 and HB 1 or never had the rule to begin with. It is time for the Pennsylvania Senate to again stand with businesses, doctors, hospitals, local governments and other industries by supporting the Fair Share Act.

Passage of this bill is a critical first step to create a more balanced legal system in Pennsylvania. The Commonwealth's tort system continues to foster an environment that allows civil cases to be pursued with the goal of cashing in large judgments or settlements, rather than seeking just and equitable relief. We look forward to working with you on other meaningful legal reform measures and appreciate your support for the Fair Share Act.

Sincerely,



Floyd Warner
President
Pennsylvania Chamber of Business
and Industry



Robert Wonderling
President and CEO
Greater Philadelphia Chamber
of Commerce



Barbara McNeese
President
Greater Pittsburgh Chamber
of Commerce



T. Anthony Iannelli
President and CEO
Greater Lehigh Valley Chamber of
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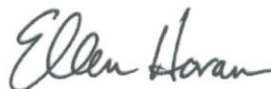
David E. Black
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Barbara Chafee
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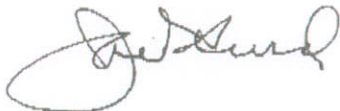
Susan Williams
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President
The Lancaster Chamber of Commerce
& Industry



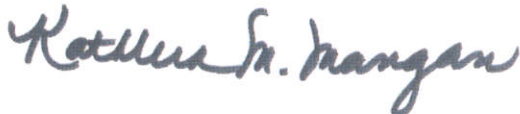
Thomas Donley
President
York County Chamber of Commerce



Joe Hurd
Executive Director
Blair County Chamber of Commerce



Richard Smith
Director of Communications
Ephrata Area Chamber of Commerce



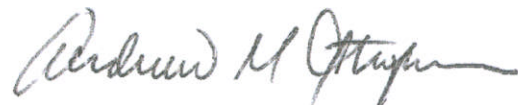
Kathleen Mangan
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West Shore Chamber of Commerce



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Pittsburgh Airport Area Chamber of
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Wendy Klinghoffer
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Chamber of Commerce



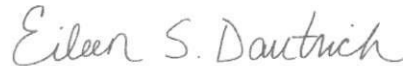
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Gary Laird
President
Hanover Area Chamber of Commerce



Clark L. Shuster
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Lower Bucks County Chamber
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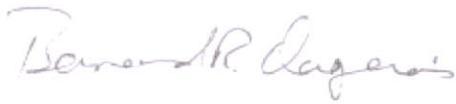
Eileen Dautrich
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Fred Gaffney
President
Columbia Montour Chamber
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The Main Line Chamber of Commerce



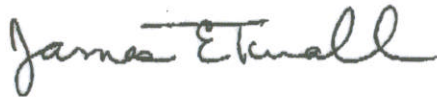
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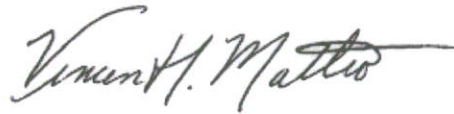
Ron Aldom
Executive Director
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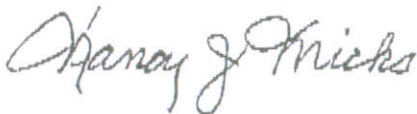
Ron Orris
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Vince Matteo
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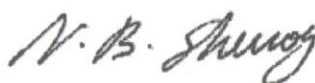
Amy Potter
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Mike Brady
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Delaware County Chamber
of Commerce



Bill Shaw
President
Western Chester County Chamber
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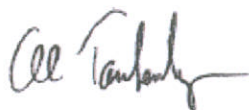
Narasimha (Nick) Shenoy
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Kellie Goodman Shaffer
Executive Director
Bedford County Chamber of Commerce



Luanne Stauffer
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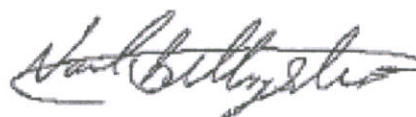
Al Taubenger
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Gary Hoover
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Bellefonte Intervalley Area Chamber
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John Olson
Legislative Committee Chair
Upper Bucks Chamber of Commerce



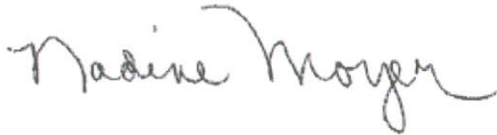
Noel Billingsley
Vice President
Spring Ford Chamber of Commerce



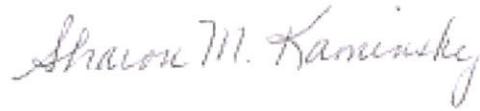
Tina Smith
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Susan Balla
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THE CHAMBER of Commerce, Inc.



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President
Slate Belt Chamber of Commerce



Sharon Kaminsky
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Pennridge Chamber of Commerce



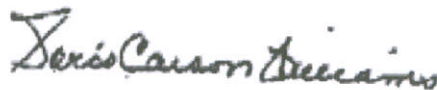
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Stan Kosciuszko
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Butler County Chamber
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President
Brush Valley Regional Chamber
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Doris Carson Williams
President
African American Chamber of
Commerce of Western
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