

ALASKA LEGISLATURE COMMITTEE FILES 1985-1986 86/2

3418 HJUD SB 377/HB 532 (FILE 1: LETTERS & ARTICLES AGAINST)

PETITION

We, the undersigned, oppose the passage of House Bill 532 and Senate Bill 377, or any similar legislation which takes away the rights of an individual to be compensated adequately when they are injured through the acts of a third person. We support the enactment of insurance reform and insurance pooling legislation; this legislation addresses the true causes of the escalating insurance rates and provides real solutions thereto. Tort reform has been held up as a means to reduce insurance costs, but in fact there has been no guarantee by the insurance industry that the passage of tort reform will, in actuality, lead to reduced rates. All that the passage of tort reform will lead to is the victimizing of the victim by taking away his rights to be adequately compensated. We feel that is an outrageous attempt at taking the rights away from the people of Alaska who have not been adequately informed. If they had been informed, they would not allow such legislation to be passed, since it not only impacts the individuals today but people who might become injured in the future.

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April 17, 1986

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The Honorable M. Mike Miller
Alaska State House of Representatives
P. O. Box V
Juneau, Alaska 99811

Re: Insurance Crisis Legislation

Dear Representative Miller:

While the Legislature may be under pressure to do "something", I sincerely hope that a patchwork of provisions are not hurriedly grafted into the somewhat delicately balanced civil justice system. The immediate problem facing the Legislature is the high price or unavailability of insurance coverage for some Alaska businesses. The insurance companies will not agree to lower rates or to make insurance more available even if the civil justice system is changed. Therefore, these changes do not help the immediate problem, and there is not a lot of sense in rushing to make the changes since they will adversely affect Alaskans' rights in return for nothing.

I do think that the insurance industry should be scrutinized. I read in the Sunday Anchorage paper that a spokesman acknowledges that the insurers make a profit in Alaska. It is hard for me to believe that if the forces of a free market were at work, truly competing insurers would raise their prices sky high when they were already making a profit because their competitors should take their business.

Since the insurance business in Alaska has been profitable even at pre-crisis rates, perhaps the State should get into the insurance business at least temporarily as a means of addressing the immediate problem. Other ideas are contained in the other two articles attached. In

any event, I would urge that the initial and primary thrust of any action be on the insurance industry since this is the only way to untangle and gain an understanding of the immediate problem of the high cost or unavailability of insurance which, again, will not be solved by changing the civil justice system even according to the insurers.

Some of the specific changes to the civil justice system being considered may have some merit, others make a shambles of the existing system and the values on which it is based. I would urge that careful study of the proposals be made in view of the already existing law so that if changes are made we end up with something balanced, consistent and comprehensive rather than patchwork. Two examples:

1. Non-binding arbitration of claims under \$50,000. This could be beneficial. Many such cases settle anyway, and I wonder what the cost would be.

2. Changing the law of joint and several liability. This subject can be quite intricate and there are many fact variations that can be presented. Basically, it addresses the question of what happens when the acts of two or more wrongdoers combine to produce one injury to a person. Under the tort law of negligence, no wrongdoer is liable for injury unless his wrongful acts were a "substantial factor" in bringing about the injury and "but for" his acts, the injury would not have occurred. Perhaps in view of this, it has long been the law everywhere in this country, and I think elsewhere, that although an injured person can only collect once for his injury, he can collect from either of the wrongdoers whose acts were a "substantial factor" in causing his injury and "but for" whose negligence his injury would not have occurred. The law of "contribution" and "indemnity" then permit the wrongdoers to adjust the loss between themselves.

The intricacies and possible factual variations with respect to this subject have been carefully analyzed by the national promulgator of Uniform Laws for all states, and they came up with a uniform law designed to operate fairly in the multitude of factual situations that can arise. This has been in effect in Alaska since 1970, A.S. 09.16.

I would urge careful study before trying to change these laws. The proposals I have seen appear ill conceived.

Other provisions, such as mandatory payments over time (which are often employed anyway now where appropriate) would not affect insurance rates and would appear to require a bigger bureaucracy to administer.

Thanks for your attention to the issues.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lloyd V. Anderson".

Lloyd V. Anderson

LVA:dw

April 16, 1986

Alaska Legislature
P. O. Box V
Juneau, Alaska 99811

Dear Legislators:

My name is Paul Andrews. I live in Chevak, Alaska, and I was a passenger on a Hermans Air plane that crashed near Bethel last November. My leg is still in a cast and my back hurts all the time because I have crushed vertebrae. I live basically a subsistence lifestyle, occasionally finding work for wages. I haven't been able to work or to hunt or fish like I usually do and I don't know if or when I will be able to get back to it. My claim for compensation for my injuries is pending.

My attorney told me you are considering a bill to limit my possible recovery. A provision limiting non-economic damages, especially if it limited them to 25% of economic damages, would be especially hard on me because I do not earn big wages and most of my damage is "non-economic".

Please don't limit my rights to seek compensation and justice. If you do, all rural Alaskans who will be injured in the future will also be hurt.

Sincerely,



Paul Andrews

For Your Information

DOUGLAS L. GREGG, Esq.

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April 14, 1986

Honorable Mike Navarre
 Chairman, Labor and Commerce Committee
 Alaska House of Representatives
 P. O. Box V
 Juneau, Alaska 99811

Re: The Insurance Crisis and Tort Reform

Dear Representative Navarre:

I have practiced law in Juneau since 1959, am a former Assistant Attorney General, former Juneau City Attorney, and have a modest but respectable practice. Over the years I have handled a fair share of personal injury and a number of wrongful death cases for the victims and families of victims of negligence. I have no ax to grind because for the past year I have been gearing down to an even more relaxed practice, which obviously does not include a heavy litigation schedule. Nevertheless, I speak out strongly against legislation which would create a special class of people to be discriminated against: the victim of negligence.

As I wrote to Rep. Mike Miller a while ago, when you consider the many ideas afoot to alleviate the insurance crises, pause for a moment or two. In the life of a legislator many groups seek exemption. It may be from budget cuts, from taxes or the application of some law, rule or regulation. These requests for special treatment invariably involve money. The burden of one man's exemption is usually shared by all who pay taxes and is spread evenly.

Tort reform is different. It calls for payment by a class which already carries special burdens.

These Alaskans are a strange and pitiful lot. They are the brain-injured children struck by automobiles; the helpless passengers in the airplanes that should not have taken off that day; the pregnant women whose lives have perhaps been jeopardized by incompetent doctors; they are the maimed, the scarred, the blinded and the crippled. Include, also, in this group the survivors of those who were killed by acts of negligence.[1] Of all the people in society who ought NOT to be made to shoulder the burden of helping the insurance industry out of the doldrums, it is these survivors and these injured whom a jury has found entitled to recover.

1. I note that damages for the negligent killing of a person without dependents would be limited to \$25,000 by the reform coalition. Why don't they say what they mean? They mean that \$25,000 is the maximum payment for a child killed by a drunk driver. (That's less than some people pay for a car, a boat or even a horse.)

Today it is doctors who would deny the victim full compensation. But doctors are not the first nor will they be the last to seek emasculation of the legal system as a "quick fix." Ski areas, aircraft owners/operators, manufacturers of defective products, government entities--these are examples of others who seek to limit their own liability. The one who will pay for that favored treatment is the faceless victim. I say "faceless" because we are speaking of the child, woman or man who does not know that tomorrow he or she will be chosen for tragedy. Tomorrow's victims are very real. They are as real as the awful numbers which measure the carnage. Since they have not yet been injured they cannot very well organize into a citizen's coalition.

The question you face is this: Will future maimed and injured Alaskans be made to pay, out of their compensation for injury, the cost of reducing insurance premiums?

Wealthy plaintiffs' firms are rare. Wealthy defense firms are well known in every major city in the State. The insurance lawyer is paid when he wins and he is paid when he loses. The Plaintiff's lawyer is only paid when he wins. The reason is simple: his clients cannot afford hourly fees. It is often hard to find a lawyer who will accept many of these cases--even at a 33-1/3% contingent fee. The coalition would reduce that fee even further. What a stroke of genius! It not only strikes a favorite target, the lawyer, but in so doing it also deprives the victim of representation.

I don't say there is no insurance problem. There surely is and for that reason all suggestions should be carefully considered--all but one, that is. You should reject out of hand the coalition's plans to undermine the common law tort system. You should steadfastly refuse to create a class of Alaskans whose ability to hire a good lawyer is compromised. You should vote "no" on legislation which would substitute the judgment of the legislature for the verdict of a jury as to what is fair compensation in any given situation.

The kind of "reform" I have been hearing about would be a high price to pay for the purpose of restoring profitability to an industry whose ethics (as well as profits) are in great doubt. I enclose a sampling of "twice told tales." These are some favorites of the news media--the Paul Harvey's of the world. Please take a few minutes to review the "rest of the story" behind these distortions. Thank you.

Very truly yours,

DOUGLAS L. GREGG

Enclosures
DLG:lb

The Facts Behind the Horror Stories

The insurance companies, which oppose injured Americans' right to a jury trial, try to ridicule juries by parading before the media the same 6 or 7 stories of what they call "outrageous verdicts." Some of these cases are 6, 7, or 10 years old and have nothing to do with the truly outrageous premiums sought by the insurers today.

Nevertheless, insurers tell the tales to mislead the public into believing that juries give huge sums to undeserving victims and that this is driving up the cost of insurance.

Except for the injuries to the victims, close examination shows, there is nothing horrible about these "horror stories." Here are the anecdotes . . . and the facts.

THE PERFUME AND THE CANDLE

Among those citing this case is Victor Schwartz, chief lobbyist in Washington, D.C., for corporate and insurance interests. On the network news show "Nightline," Schwartz said recently: "A woman in Maryland recovered money when perfume was poured on a lit candle."

The Full Facts: First of all, Schwartz neglected to tell viewers that this case was decided 10 years ago and has nothing to do with today's issues. Second, the final award to the plaintiff was about \$30,000, hardly enough to break an industry with assets of more than \$267 billion. Third, the perfume was not poured on a lighted candle.

Nancy Moran, 15, was visiting a friend of the same age. There was a Christmas candle burning in a saucer. To give the candle fragrance, the friend poured cologne from a drip bottle into the saucer, not on the flame. The heat of the flame ignited the vapors rising from the cologne. The burning vapors torched the perfume in the saucer, causing it to explode into flame. Ms. Moran was seriously burned.

The jury verdict in *Moran v. Faberge, Inc.* was upheld in 1975 by the Maryland Court of Appeals, which ruled that the defendant knew or had reason to know that the cologne might come close enough to a flame to explode. The same product, sold in a spray bottle, contained a warning not to use it near a flame. A woman applying the cologne could experience the same result if she were to light a cigarette.

Had the plaintiff poured the cologne directly on the flame, there would have been no case, said Martin Freeman of Bethesda, Md., who handled the case. His number is (301) 951-1610.

THE REFRIGERATOR AND THE BODY BUILDER

Forbes Magazine in a July 1985 article and syndicated columnist Ernest Conine last November, among others, have cited the case of the "41-year-old body builder [who] entered a race with a refrigerator strapped to his back to prove his prowess. During the race, he alleged, one of the straps came loose and the man was

hurt. He sued everyone in sight, including the maker of the strap. Jury award: \$1 million." The quote is from *Forbes*.

The Full Facts: The recitation of this 8-year-old accident is wrong on several counts. In *Columbo v. Trans World International*, the plaintiff, Franco Columbo, was a world-champion body builder. In 1976, he won the "Mr. Olympia" contest. In 1977, he agreed to participate in a television show, "The World's Strongest Man," produced by Trans World International Corporation and aired on CBS television. The other defendants were MCA, the parent company of Universal Studios, where the event occurred, and Zuver Fitness Center, Inc., the manufacturer of the equipment used by the plaintiff.

The event was to have 10 participants, all well-known athletes, competing in "off-beat" contests. One event was a refrigerator race. Each contestant was to walk or run 40 yards with a 400-pound refrigerator on his back.

Before the event, each contestant was given a written contract guaranteeing that all the equipment had been tested for safety. Zuver Fitness Center developed the contests and prepared the equipment.

Mr. Columbo was in the first of five heats. All the other contestants were more than 6' tall; Mr. Columbo is 5'6" tall, and all the defendants knew that fact. After he had run 7 or 8 yards, he fell when the rack to which the refrigerator was attached struck the ground. For someone of his height to lift the rack and refrigerator off the ground, Mr. Columbo had to bend forward deeply. This caused his center of gravity to be thrown off, and he collapsed. He suffered a total knee displacement. His injuries required extensive surgery.

At the trial, the chief engineer for Zuver admitted that (1) the equipment had never been tested by anyone Mr. Columbo's size, (2) the equipment had never been tested by anyone who had run with it, and (3) he had told Trans World officials that he didn't think the equipment or the race itself was safe. Other experts testified that it was not humanly possible to do what was expected in the contest. (After Mr. Columbo's fall, all the other contestants walked the race.)

In 1982, a Los Angeles jury awarded \$1,036,760 and Trans World settled for \$1 million. The company was not insured, so this amount had no effect on insurance premiums. And the plaintiff never alleged that the strap broke; in fact, the maker of the strap was not sued. Attorney George Royce of Los Angeles represented the plaintiff. His number is (213) 552-7868.

THE HOT-AIR BALLOON AND THE LAUNDRY

Forbes, in its July 1985 article decrying the so-called current liability crisis, gave this ex-

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More Facts . . .

continued from p. 1

ample of "absurdly generous awards: Two Maryland men decided to dry their hot-air balloon in a commercial laundry dryer. It exploded, injuring them. They won \$885,000 in damages from American Laundry Machinery, which manufactured the dryer." This tale is repeated, virtually word for word, in many places.

The Full Facts: *Horan v. American Laundry Machinery Industries* was decided in 1979. Mr. Horan owned a 60-foot, nylon, hot-air balloon used by his advertising agency. When it became extremely muddy, he took it to a friend in the laundry business, who advised him that his equipment was too small to launder the balloon. They then went to a local hospital, where the equipment was designed for industrial purposes, and began to launder the balloon. The laundry extractor began to vibrate violently, causing it to blow up.

Mr. Horan was badly injured; his friend's hand was nearly severed, requiring microsurgery at Johns Hopkins Hospital. At the trial, it was proved that the company had a patent on a device that would have automatically stopped the machine if it vibrated excessively. Nevertheless, evidence revealed, the company had decided before the accident not to install the device.

A Baltimore jury awarded \$1,266,390 to the two men. Samuel O. Jackson, Jr., now retired, represented the plaintiff. The phone number for Mr. Jackson's firm is (301) 539-6633.

THE HORSE AND THE PINTO

In a speech last December, Richard Willard, assistant attorney general for the Civil Division, U.S. Department of Justice, told his au-

dience a story repeated in many quarters.

"An Oregon jury awarded \$1.5 million in damages to the estate of a woman who was killed when a horse fell through the roof of her 1980 Ford Pinto. The horse had been spooked by wolves or coyotes and broke through a triple-strand, barbed-wire fence onto the highway. The horse was hit head-on by the woman's car, was knocked into the air, and fell down onto the hood and roof of the car. Although Ford argued that the accident was a 'one in a million accident,' and that no car could ever withstand the impact of a horse, the jury found Ford liable."

The Full Facts: In *Green v. Ford Motor, Co.*, a Portland, Oregon, jury found Ford liable because of weakness in the design of the Pinto's roof. In 1982, Mr. Green was driving his 20-year-old wife and their newborn baby home from the hospital when a horse stepped into the road. The car hit the horse. The animal slid across the windshield and roof. The roof collapsed. Mrs. Green was struck in the temple and killed.

The National Transportation Safety Board requires that a vehicle withstand 5,000 pounds on impact from a rollover, which is close to what happened to the Greens' car. A simulation of the accident proved that the Pinto could withstand only 3,800 pounds. Furthermore, Ford employees testified, records of vehicles that had failed safety tests had been destroyed.

In addition, Oregon records show, a horse is involved in an automobile accident there every three days. So, this is hardly a "one in a million accident." Most important, however, the car should have been able to withstand the impact of the accident. Millions of people depend on the crashworthiness of their cars.

In June 1985, a jury brought a verdict of \$1.5 million against Ford.

and has appealed. The plaintiff's attorney is J. T. Baisch of Portland. His number is (503) 226-3232.

THE DRUNK DRIVER AND THE PHONE BOOTH

The Wall Street Journal, in a December 1985 editorial, said, "A man is injured when a drunk driver crashed into a telephone booth and California Chief Justice Rose Bird rules that the company that designed the booth is liable." (Willard also has cited this case.)

The Full Facts: In *Bigbee v. Pacific Telephone and Telegraph Co.*, Chief Justice Bird, along with five of the other justices on the California Supreme Court, ruled in 1983 that the issue of liability in this case should be decided by a jury. A summary judgment had been granted to the defendant by the Los Angeles County Superior Court, and the Supreme Court was simply sending the case back to the lower court for trial. Bird wrote for the majority: "Where a telephone booth, which is difficult to exit, is placed 15 feet from such a thoroughfare, the risk that it might be struck by a car veering off the street, thereby causing injury to a person trapped within it, cannot be said to be unforeseeable as a matter of law."

The booth, which had been hit at least once before, was "difficult to exit," because its door was jammed, and the plaintiff was unable to flee the booth when he saw the drunk driver bearing down on him. The seventh justice, incidentally, while dissenting in part, wrote that the summary judgment was "properly reversed" on the question of the jammed door. This case, although sent back to the lower court in 1983, never went to trial. A settlement in this 1974 accident was reached, but attorneys for both sides are under a court order—requested by the defendant—not to discuss the amount. The plaintiff's attorney is Thomas Cacciatore of Los Angeles. His number is (213) 380-6330.

THE BURGLAR AND THE SKYLIGHT

The Wall Street Journal editorial stated, "An insurance company is ordered to pay \$260,000 plus \$1,500 a month to a plaintiff when he fell through a skylight while burgling a school."

The Full Facts: The insurance company in *Bodeine v. Enterprise High School District* was not ordered to pay anything; the case was settled. The man involved, Rick Bodeine, 19, had graduated from the high school in 1981. In 1982, as a lark, he and two friends tried to take a floodlight from the roof of the school to light

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Patrick Carr	John Kujawski	Mitchell Shamus
Patrick Casey	Gary Lane	William Shelton
Jane Ann Cobb	Joe Lapan	Robert A. Slattery
A. J. Cone	Bill Lawrence	Daniel Spellman
Roxanne Conlin	Mike Lawter	Martin Spellman
James Conrady	James Lawyer	Frank Spring
Sharon Corbitt	Verne Lawyer	Betsy Ann Stewart
Thomas Crawford	Alan Leibson	Larry Stewart
Nick Critelli	Robert Leonard	Leaf Strand
Richard Crollet	Harvey Lewis	Lorenzo Tapia
Paul Cronin	Robert Lohman	Tito Trevino
Charles Currier	Marjon Louis	J. Montjoy Trimble
T. A. Demetrio	Peter Mallery	Ronald VanAmberg
	Alan Malott	Bette Velde

Legal Fictions



Leonard E. Moffitt
 Box 748
 Palmer, Alaska 99645

House Judiciary Com.

April 15, 1986

TORT RETORT

This is in reference to just one proposal in Brad Bradley's report on tort reform, Anchorage Times, April 2, 1986.

That proposal for tort reform is, "Require that a lawsuit be filed within two years of the date of the act or omission on which the complaint is based." The proposal looks good on the surface but thought and history should tell us that it is counterproductive.

About eight years ago it seems that many people, for their own reasons, prodded the legislature into requiring that lawsuits for malpractice be filed within two years of the act or omission. Some professionals were so adamant that the two-year limit was the great cure-all that a probably thought opponents deserved some malpractice. However, it seems clear that if one just suspects receipt of maltreatment, one would be foolish not to file suit to be on the safe side of a two-year limit.

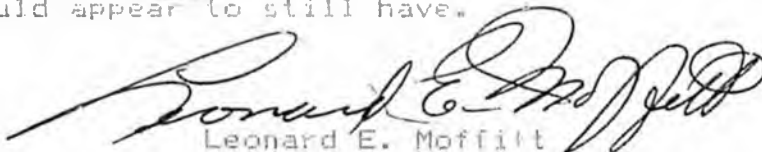
Doctors may have improved their work habits tremendously, eliminated any thought of patients as guinea pigs, and improved their patient-doctor attitudes, but yet, find themselves again faced with an insurance rate emergency.

Possibly many of the "safe side" suits that are brought before the two years are up could be called frivolous, but they may be brought to beat the two-year deadline just in case there is a real problem later. Then insurance companies possibly settle many of the "safe side" suits out of court and pass the loss to doctors who must pass it to patients through higher medical bills.

Even with a two-year limit, some may wonder if they should take their lawyer along when they visit a doctor. More time seems necessary for correction, healing and compromise. It might make more sense if suit could not be brought until after two years.

I would guess, the six or more years statutes of limitation had a reasonably sound basis and would appear to still have.

Sincerely,


 Leonard E. Moffitt

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MINDY R. KORNBERG
GARY R. LETCHER
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JEFFREY M. MILLER *
JAMES T. MULHALL
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JONATHAN K. TILLINGHAST
DANIEL W. WESTERBURG
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Writer's Direct Dial No.
(907) 263-7225

April 15, 1986

*D. C. BAR ONLY
**D. C. AND ALASKA BAR
ALL OTHERS ALASKA BAR ONLY


The Honorable M. Mike Miller
Alaska State House of Representatives
P.O. Box V
Juneau, Alaska 99811

Dear Representative Miller:

A provision has been amended into CSS SHB 532 limiting "non-economic" damages in civil actions to 25% of economic damages. This position will drastically affect the rights of many Alaskans, including especially "Bush" residents, retired persons, non-working housewives, and victims of certain types of injuries such as Dalkon Shield victims. I hope you will take the time to read my letter to Senator Faiks, copy attached, explaining my concerns.

Sincerely,

BIRCH, HORTON, BITTNER,
PESTINGER AND ANDERSON


Lloyd V. Anderson

LVA:sb

Attachment

LLOYD V. ANDERSON**
LUANN E. BAILEY
SUSAN P. BEHLKE
RONALD G. BIRCH**
WILLIAM H. BITTNER**
KATHRYN A. BLACK
RODNEY B. CARMAN**
JOSEPH M. CHOMSRI**
PAUL L. DILLON
KIM DUNN
ERIC A. EISEN**
JOSEPH W. EVANS**
WILLIAM W. GARNER**
JOHN W. GRIGGS**
RICHARD G. HAGGART
BRUCE E. HORTON**
MAL R. HORTON**
CAROL JOHNSON**
MARC W. JUNE
PAMELA R. KELLEY
MINDY R. KORNBERG
GARY R. LETCHER
STANLEY T. LEWIS
JEFFREY B. LOWENFELS**
JEFFREY M. MILLER**
JAMES T. MULHALL
LAWRENCE Z. OSTROVSKY
MICHAEL J. PARISE
SUZANNE C. PESTINGER**
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MARCY M. REBERGER**
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ELISABETH H. ROSS**
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STEPHEN F. SORENSEN
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April 15, 1986

*D. C. BAR ONLY
**D. C. AND ALASKA BAR
ALL OTHERS ALASKA BAR ONLY

The Honorable Jan Faiks
Alaska State Senate
P.O. Box V
Juneau, Alaska 99811

Dear Senator Faiks:

Thank you for your response to my message concerning the insurance crises. A new proposed provision capping non-economic damages to 25% of economic damages which I have recently seen as an amendment to CSS SHB 532 prompts me to comment further. In addition, I intend to respond to the other issues you raised in a separate letter.

Capping "non-economic" awards has the most impact on the poor, Alaska Natives and other subsistence style livers, non-working housewives, and on victims of certain types of injury, such as Dalkon Shield victims. Juries now can evaluate and compensate an Alaska Native for the loss of ability to pursue a subsistence lifestyle. Under the provision which caps non-economic damages at 25% of economic damages there would be major differences in how similarly injured people are treated, depending on their lifestyles and wage levels. For example, assume a plane crashes due to gross pilot error. Three passengers receive identical injuries totally disabling them for the rest of their lives so that they cannot work, play, hunt, fish, or function effectively. All have \$100,000 in medical bills.

Passenger 1 - Alaska Native Subsistence Lifestyle - Age 32
Lost Wages = 0
Medical Bills = \$100,000
Economic Damages = \$100,000
Non-economic Cap = \$25,000
Total Award = \$125,000 with \$100,000 having to be repaid to ANS

Passenger 2 - Retired Person
Lost Wages = 0
Medical Bills = \$100,000
Economic Damages = \$100,000
Non-economic Cap = \$25,000
Total Award = \$125,000 with \$100,000 going to
doctors or health insurer

Passenger 3 - North Slope Worker - Age 32
Lost Wages = \$70,000/year to age 65 (33 years) =
\$2,310,000
Medical Bills = \$100,000
Economic Damages = \$2,410,000
Non-economic Cap = \$602,500
Total Award = \$3,012,500 with \$100,000 going to
health insurer

I am opposed to a cap on non-economic damages since juries function effectively and non-economic awards are necessary to compensate some types of injured people. Further, courts have the power to reduce juries' awards, and this has been done in many of the larger awards of punitive damages we all have heard about. See attached excerpt. The proponents of change are conducting a well-orchestrated campaign, but it rests on misrepresentation, half-truths and sensationalism. Attached is an article about the actual trend of verdicts.

Clearly, if any cap were to be legislated, it should be a uniform monetary one, not a percentage cap which treats the pain and suffering of people of different economic stratas differently. If a cap must be considered, I would urge you to set it in a monetary amount high enough to allow reasonable compensation for those types of people who will be injured and whose main damage will be non-economic. For example:

1. Alaska Natives and others who live a subsistence lifestyle;
2. Retired persons who may be injured so that their ability to enjoy their retirement is taken from them;
3. Housewives who do not work out of the home or work only part time;
4. People who are severely burned, disfigured, or in pain; and
5. Victims of recklessly marketed products such as the Dalkon Shield. These women have in many instances lost their insides, their childbearing capacity, and their

The Honorable Jan Faiks
April 15, 1986
Page 3

emotional well-being, all "non-economic" damages, while their "economic" damages may be relatively small.

I can foresee situations in the future where people will be injured and the originally-proposed cap of \$250,000 will seem inadequate. In arriving at a cap, if you must, I urge you to consider the worst injury you can think of to one of the above types of people, and set the cap in view of that. Lesser injuries, I am sure, would never reach the maximum, but I would hope that the ability to have some degree of fairness for the most severely injured of the above types of people would be left in our system.

Sincerely,

BIRCH, HORTON, BITTNER,
PESTINGER AND ANDERSON



Lloyd V. Anderson

LVA:sb

Excerpt on Remittitur

The courts already have the power to control jury verdicts by ordering remittitur. This has been used in Alaska and elsewhere.

In Sturm, Ruger Co. v. Day, 594 P.2d 38 (Alaska 1979), a jury had awarded \$137,750 as compensatory and \$2,895,000 as punitive damages. The Supreme Court reversed finding the award excessive. They said:

If essentially the same evidence is presented at the second trial, and if the jury award exceeds \$250,000, the court should then exercise its power to grant remittitur in accordance with this opinion.

In the famous Pinto exploding gas tank case, a jury awarded \$125,000,000.00 in punitive damages. The court ordered remittitur to an amount equal to the compensatory damages of \$3.5 million.

KENNELLY, AZAR & DONOHUE, P.C.

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ANCHORAGE, ALASKA 99501
(907) 279-9352/276-2255

April 10, 1986

RE: The Recent Amendments to the Tort Reform Bill

Dear Representative:

I am writing you as an attorney who practices personal injury law to a great extent. Our law firm represents many people who have been the victims of negligence and have received serious injuries. I am writing with reference to the amendment proposed which would limit compensation for pain and suffering or noneconomic loss to 25% of the economic loss. I would like to illustrate these comments with two examples.

This office represents Linda Bennett in a lawsuit arising out of an accident which occurred on June 21, 1985 at the intersection of the Old Seward Highway and Tudor Road. She was riding as a passenger in a vehicle which had stopped southbound on the Old Seward Highway on the inside lane of traffic. At that time she was seated in the passenger seat and, since it was warm weather, had the elbow of her arm resting on the ledge of the open window. At that time the defendant truck driver, Lloyd M. Flanery, who was working for Rabbit Creek Trucking, Inc., struck a light pole with his truck. As a result the light from the pole broke loose and fell a great distance landing on her outstretched elbow. The impact resulted in a smashing fracture of the bones in her elbow. She still experiences great pain from the disability which she has in her right elbow. She is right-handed and is presently receiving cortisone shots for pain.

Linda Bennett is legally blind and is currently a student at Whittier College in Whittier, California. Enclosed with this letter are copies of articles written about her. As you can see Linda Bennett, even though she is legally blind, starred on the Chugiak High School's soccer team when she was in high school.

April 10, 1986

Page 2

Her total medical expenses with regard to this accident. are approximately \$4,000.00. She has experienced no loss of income because she is a student. The permanent disability to her elbow will not, in all likelihood, prevent her from working for a living. She will, however, in all probability, endure substantial pain and suffering from this injury for the remainder of her natural life. She will also, in all likelihood, be prevented from engaging in active sports which she has enjoyed in the past, even though she is legally blind.

Under the current amendment to the proposed "Tort Reform Bill" Linda Bennett would be entitled to recover in her lawsuit approximately 25% of her medical expenses or, the amount of \$1,000.00.

The other case involves a much smaller claim but also amply demonstrates the extreme injustice presented by this 25% formula. Scott Whittaker is employed at the Forest Lawn Mortuary in Anchorage. On November 3, 1985 he was driving home and was involved in an automobile accident with Lisa Wirshem, who crossed the centerline and collided with Mr. Whittaker's Toyota automobile. Mr. Whittaker hit his head on the steering wheel and, as a result, his two front teeth passed completely through his lower lip. He was taken to Humana Hospital where he was treated as an out-patient and underwent surgery on his lower lip. Sutures were taken in both the inside and outside of his lower lip. He had to return so that the doctor could take out the stitches. He has a permanent scar as a result of this injury on his face. He did not lose any time from work and his medical expenses are approximately \$220. Under the 25% formula contained in the proposed amendment to the tort reform bill, Ms. Wirshem's insurance company, Nationwide Insurance, would be required to pay Mr. Whittaker's doctor bills in the amount of \$222 and would furthermore be required to pay Mr. Whittaker \$55 for the injuries sustained in this accident.

From the above it can be easily seen that the passage of the tort reform act in its present form would result in a tremendous windfall profit to the insurance industry. Both of the above cases involve automobile insurance in which there currently is no

April 10, 1986
Page 3

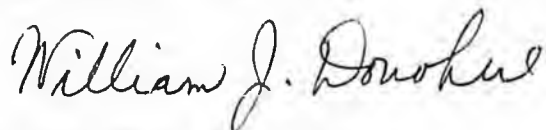
"insurance crisis."

There has been much talk about the fact that the "insurance crisis" has in fact been caused by poor investments by the insurance companies themselves rather than by "runaway jury verdicts." I would like to point out to the members of the Alaska Legislature the enclosed letter dated March 17, 1986 regarding an insurance cost comparison for 1985 and 1986. This involves the "N Street Plaza" Condominium Association of which my office is a member. Our office occupies Suite 202 of this two-story building. In 1985 we paid \$2,699 for liability insurance and \$5,252 for coverage for earthquake and flood. The proposal for liability insurance for 1986 was \$4,405 or an increase of approximately \$1,706. The "earthquake/flood" insurance premium went from \$5,252 to \$20,000, an increase of \$14,748. I think it should be apparent to the Alaska State Legislature that earthquake/flood claims are not affected by "runaway jury verdicts." There certainly have been no such absurd jury verdicts in the past year in Alaska to justify this type of increase. I frankly do not know what is the justification for this increase but this jump in insurance premiums will not be affected in any way by the "tort reform" statute presently before the Legislature.

The proposal to amend the tort law in Alaska to reduce insurance premiums is simply absurd. The proponents of this legislation have not cited any instance where a "runaway jury verdict" occurred in Alaska or in fact any instance in Alaska or in fact any instance in Alaska where someone has received a jury verdict in an unreasonable amount. I do not but I suspect that the insurance industry has not provided the Legislature with any premium/loss comparison which occurred in 1985 to justify the sharp increase in insurance premiums. The current legislation will result in a huge windfall to the insurance industry. I strongly urge you to reject this bill.

Very truly yours,

KENNELLY, AZAR & DONOHUE, P.C.



WILLIAM J. DONOHUE

*N Street Plaza
Condominium Association*

DATE: March 17, 1986

RE: Insurance Cost Comparison
1985 vs. 1986

The following is a cost comparison between actual insurance premiums paid in 1985 and estimated premiums for 1986.

SUITE:	1985 LIA: \$2699.00 E/F: \$5252.00	1986 LIABILITY \$4405.00	1986 EARTH/FLOOD \$20,000.00
101	\$ 854.73	\$ 473.54	+ \$2,150 = \$2623.54
102	741.03	410.55	+ 1,864 = 2274.55
103	671.06	371.78	+ 1,688 = 2059.78
104	554.18	307.03	+ 1,394 = 1701.03
201	1,040.79	576.61	+ 2,618 = 3194.61
202	763.30	422.88	+ 1,920 = 2342.88
203	565.32	313.20	+ 1,422 = 1735.20
204	565.33	313.21	+ 1,422 = 1735.21
205	547.82	303.50	+ 1,378 = 1681.50
206	547.82	303.50	+ 1,378 = 1681.50
207	635.28	351.95	+ 1,598 = 1949.95
208	464.34	257.25	+ 1,168 = 1425.25
TOTAL PREMIUM:	\$7,951.00	\$4,405.00	+ \$20,000 = \$24,405.00

As you will note from the above calculations:

- FIRST COLUMN: Actual premiums paid in 1985 based on BOTH Liability and Earthquake/Flood
- SECOND COLUMN: Premiums TO BE PAID for LIABILITY ONLY
- THIRD COLUMN: Premiums TO BE PAID for EARTHQUAKE/FLOOD ONLY
- FOURTH COLUMN: TOTAL PREMIUM if Association PAYS BOTH Liability and Earthquake/Flood



Blindness will never dim her brilliance

By MARTHA ELIASSEN
Daily News reporter

The soccer ball sails toward the sideline and, at a signal from a teammate, Linda Bennett goes after it. She scoops up the ball and hurls it halfway down the field, back into play. Within seconds, it's slammed home to make another point for Chugiak High School.

Throw-ins are a Linda Bennett trademark; her teammates on the Chugiak soccer team say her ability to throw the ball great distances accurately has been like a secret weapon.

But there are no secret weapons in Bennett's biggest battle: her fight with blindness. Now that soccer season is over, Bennett spends most of her day in an Anchorage classroom, learning to read braille, to walk with a cane, to use a computer that helps sightless people communicate with the rest of the world.

Bennett, 18, is legally blind, a victim of a rare eye disorder that has robbed her of all but her peripheral vision. At a time when most young people begin to enjoy their freedom, she has had to come to terms with her increasing dependency on others.

She has tackled the adjustment with the same determination that

she has always given to school work, athletics and everything else in her life.

"I just find other ways to do things," she says quietly.

Bennett is an athletic young woman with muscular arms and legs that attest to years of soccer, volleyball and other physical training. She has long, dark-brown hair and olive skin. Her greenish-brown eyes make contact with others when she speaks, as if to deny their injury.

Her vision is 20/200 in each eye, which means she can see at 20 feet what most people see at 200. When she looks straight ahead, her vision is blocked, as if by a barricade.

"It's big and dark and cloudy," she says.

One of the hardest adjustments has been that she can no longer drive a car. "I really wish I could drive — *all the time*," she says. And when she goes out with friends to a fast food restaurant, she can't see the menu above the counter. "I just order a cheeseburger, french fries and a diet Coke every time, if I'm not sure."

Until two years ago, Bennett's vision was normal. But toward the end of summer in 1983, she started having trouble with her left eye. One day she held her fist in front of her body and it disappeared, as

if lost in a wrinkle in the screen of her vision.

When the problem persisted, her parents took her to an ophthalmologist who found hemorrhaging inside her eyeball. But he could find no reason for the bleeding, and referred the Bennetts to other doctors in town, who, in turn, referred them to specialists in Seattle.

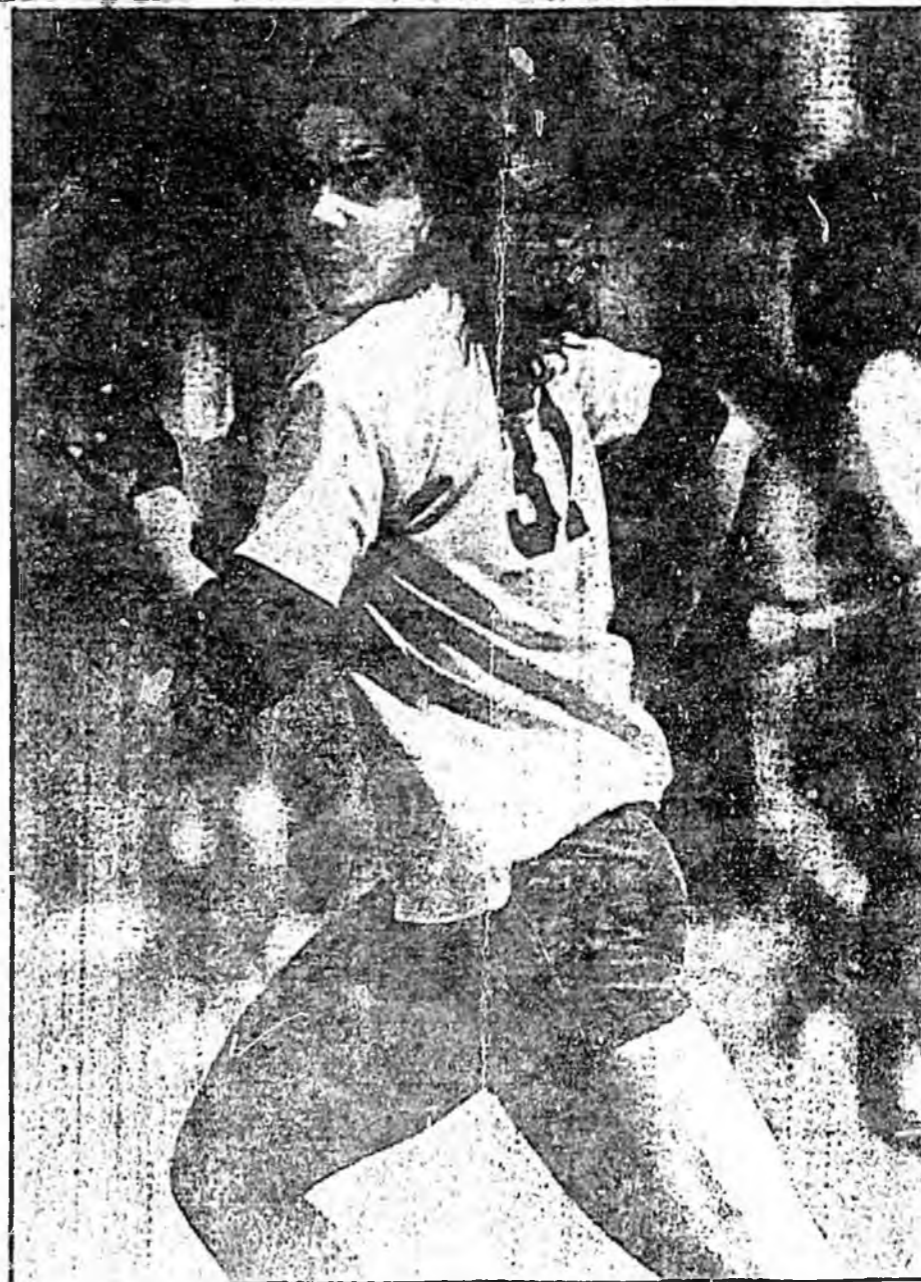
In all, there have been about 10 doctors so far. "We didn't stop at the first answer," says Bennett's mother, Shirley. "If you talk to the doctors, some think we were utterly ridiculous to take her to as many as we did. But we would do anything, if it would help."

Soon after the hemorrhages in her left eye were found, similar bleeding began in her right eye.

The technical diagnosis was subretinal neovascular hemorrhaging, a term Bennett rolls off of her tongue with ease.

What it means is that, for no known reason, blood vessels usually confined to the back of the eye grew through a weak spot in her retina. Then, the abnormal growth began to bleed and to form scar tissue.

The condition is a common cause of blindness in adults over 50, but



Anchorage Daily News/Rob Hallinen

See Page E-2, BLINDNESS

Linda Bennett starred on Chugiak High School's soccer team.

Blindness comes suddenly, doesn't change young woman's determination to excel

Continued from Page E-1

it's virtually unheard of in young, healthy people, says Dr. Scot Brower, Bennett's Seattle ophthalmologist.

As if losing her vision wasn't enough to accept, the doctors dealt her one of the hardest blows of all. Worried that physical activity might aggravate the bleeding, they told her she had to give up sports.

"At the beginning, I got really depressed because I couldn't do anything," she says. "I just ate and got fat and wondered what I was going to do with the rest of my life."

on her windows to the world.

In January, Dr. Brower wrote: "At the present time, Linda is felt to be beyond the point where any additional therapy will be helpful ... she is visually impaired and will remain so."

After two years, the news wasn't a surprise, and it wasn't allowed to interfere with the rest of Bennett's life. In addition to her athletic accomplishments, Bennett graduated from Chugiak High School with a 4.0 grade average. She was awarded a four-year scholarship at Whittier College in California.

"When I was little and went out for sports or anything, my parents would never let me quit," she says. "I just carried that on."

"She's a strong person," her mother says. "We're real proud of her."

Dr. Brower says Bennett has adjusted to her vision loss better than anyone could have hoped. "I don't know how she does as much as she does. She is really an inspiration to me."

This summer, at her mother's urging, Bennett is attending classes at the Sensory Impairment Center in Anchor-

age to refine her braille reading and learn other skills that will help her cope with blindness.

"None of that stuff thrills me," she says with a sigh — a teenager's typical "Oh, Mother" sigh.

But her mom says she hopes these skills will help when Bennett goes to college this fall, away from all of the people who have learned how to help her. Although doctors say she'll probably retain her peripheral vision, her mother wants her to be prepared.

As for what course of study Bennett will pursue or what

she wants to do with the rest of her life, she says she doesn't know. The future holds a lot of questions and few answers.

At one time, Bennett wanted to become a doctor, but she's not sure about that now. She's also considered a career in counseling.

"I just keep thinking, I can still do anything I want to do."

Editor's Note: Shortly after this story was written, Linda Bennett was in a car accident that left her with a compound fracture of

the right arm. The timing couldn't have been worse; Linda was scheduled to play in the Junior Nationals Volleyball Tournament in California this week. But even though she couldn't play, Linda, her arm in a cast and pain pills in her purse, insisted on accompanying the team.

Her mother, Shirley Bennett, wasn't happy about letting Linda go, but decided the trip might be good medicine. "I kept saying, why her? Hasn't this poor kid been through enough? Maybe it's because she bounced back so well."

Shirley Bennett remembers the pain of watching her once-active daughter sit around the house, quiet and miserable. "It's a hard thing to put into words," she says with a catch in her voice. "I — I wished it was me instead of her. It was hard to deal with."

Gradually, Linda Bennett says, she adjusted. She still hoped that her eyes would somehow get better, and she had plenty of support at home and at school.

"I had friends who kept me going — Helen Keller jokes and all that," Bennett says.

Linda Bennett undaunted by adversity

By JOHN HOTZFELD
Of The Star Staff

Chugiak High School senior Linda Bennett's enthusiasm about what the future holds is understandable for an ambitious young lady who is about to make the transition from high school to college.

What makes Bennett's positive outlook unique is that in the last 18 months she has been losing her sight from a growing visual impairment that the doctors can do nothing about. The blood vessels in her eyes have hemorrhaged, blocking her central vision and she can now only see out of the sides of her eyes. She is legally blind.

Linda Bennett is a portrait of courage, hope and encouragement.

The problem started for the Chugiak senior, who just finished the volleyball season as the team's co-captain, 18 months ago when she held her fist out in front of her body and was unable to see it. At the time a family friend who is a doctor advised her to wait a couple of days and if it continued to get medical help immediately.

Doctors noticed that the vessels in her right eye were hemorrhaging and causing her to lose her vision. The question of surgery came up but it was decided to wait and see what would happen without surgery. Things grew steadily worse and Linda lost most of the vision in her right eye. When her left eye started doing the same thing, it was decided to have immediate "laser photocoagulation" surgery performed in an effort to save this eye.

A year ago in March, the first surgery was performed and things got immediately worse. "It was really depressing," recalled Linda this week. "I wondered what kind of a career I could have."

The next six months were stagnant as far as any progress on the mysterious cause of the eye impairment and then things started going bad again. A second surgery was performed under the direction of Dr. Scott A. Brower of the Virginia Mason Clinic in Seattle this past October. The results were again not very promising for the 17-year-old daughter of Boyd and Shirley Bennett of Eagle River.

When Bennett had the bandages unwrapped from her eyes she didn't know whether she would ever see again. It was at this point she wrote a poem

reflecting the sturdy, determined character within her:

THROUGH MY EYES
 By Linda Bennett
*The world is not all there. . . .
 Pieces are missing. . . .
 Tiny blood vessels began to grow
 and sight was distorted
 Then they hemorrhaged
 and sight began to disappear
 Faces. I could no longer see
 The world was growing dark
 Surgery: needed or not?
 Stop the blood vessels' network
 of growth
 Laser was used, lights, shots, dye
 I could only see less
 Vessels grew again
 What to do?
 Laser again
 Would I be able to read?
 Look to the Lord
 "Lord, nothing is going to happen
 to me today that you and I
 together
 Can't handle
 I am happy
 I am alive
 I can walk
 I can talk
 and I can still see
 God is good to me.*

In December came the final laser photocoagulation. The ophthalmologists from the Mason clinic, as well as Dr. L'esperance from New York, can not find the cause of the impairment and she was released with a vision of 20/100. Since then Linda's sight has become worse and she now has 20/200 vision.

Through it all, Linda has maintained a positive attitude and is determined to go on to college and begin a career in sports medicine or counseling.

How does she do it? Linda cites three things: God, her parents and her friends and teachers. She said she looks to "God and the Bible . . . and the things He says in it." Linda attends Eagle River First Church of God where she also sings in the choir.

Another important motivation for Linda has come from her parents. "My parents would never let me quit if I started something, so I've always kept going," she says.

She also is thankful for her friends and her teachers who have stayed with her to help her in her studies. She is learning Braille from Mary Lee Miller

each day. Miller works for the Anchorage School District as a teacher of visually impaired students.

What made Linda an exceptional student only makes her that much more exceptional now. She has always maintained a 4.0 grade point average and that hasn't changed even in her senior year while going through all the treatment on her eyes.

She has lettered in varsity volleyball every year since being a freshman and that hasn't changed as she served for the second year in a row as captain of the team. The Mustangs ended their season this week in the Region IV Tournament. Last year she was voted the Most Valuable Player of the team and as a freshman she was voted the "hardest worker." She also qualified for the junior national volleyball team last year as well as this year and plans to go to Davis, California in June for 10 days to compete with the team.

She is a stand-out player on the girls soccer team and plans to play this spring to earn her third straight letter in that sport. As a freshman and again as a junior, Linda earned the title "most inspirational." Last year she helped lead the Mustangs to a first place tie in the Anchorage regular season standings.

Linda's achievements don't end in the sports department, however. She is among the top three percent of U.S. students in her scholastic achievements. She has been selected for Who's Who among high school students. She is in the U.S. Directory of Distinguished Students. She has served as vice president of her class two years. She is active in the HUB Club and Soccer Club. She is a member of the Honor Society. Her list of achievements goes on.

Sally Callaway, who has counseled students at Chugiak High School for 16 years, finds Linda to be a uniquely well-balanced person. "She is a very honest, genuine person. She always bounces back," said Callaway who has worked closely with Linda. Callaway also described the student as "quiet, reserved, determined, happy, pleasant, warm and active."

"Her bounceback is tremendous," stresses Callaway. Mary Lee Miller, who has been working with visually impaired and blind students in the school district for four years, feels that Linda is very special. "I have a high regard for Linda.



Linda Bennett, who despite falling eyesight is hoping to gain a scholarship to play volleyball in college after she graduates from Chugiak High School.

STAR PHOTO BY JOHN HOTZFELD

She's not going to let this get her down," said Miller.

Miller pointed out one recent incident where Linda showed her determination. She had a book report due for her Criminology class and had to sort through 70 articles to gather the information she needed. Miller said Linda set her mind to accomplishing the task and did an excellent job. "She is not only going to do it, but do an exceptional job of it. That's the type of person she is," said Miller.

Miller said Linda is overcoming two very hard areas. The fact that Linda is going blind gradually (although doctors feel she won't go totally blind) is a lot harder for someone to accept than if it all happens at one time says Miller. She said Linda's overcoming attitude just won't allow her to get down. "She's not bitter but very positive."

The other area that is hard is the timing of the loss of vision. Miller feels that the transition from high school to college are the hardest years in a person's life. But Linda is taking everything in stride and is looking with hope to the future.

"At first I didn't think I would be able to do anything, but now I'm going to plan on playing volleyball in college," shares Linda.

Monday a representative of Whittier College in California came up to talk with her. She is one of 30 finalists selected from among 200 applicants for five full scholarships. Linda has also been accepted to the University of Redlands in California and

Whitworth College in Spokane, Washington.

Linda also recently learned she has been selected to receive the Elmendorf Officer's Wife's Club Scholarship of \$1500. Linda has had to give up her original plans of becoming a doctor but maintains her desire to want to help others. "I want a career to help other people. So many have helped me," she said.

Linda's other desire is to be active in athletics. She said she has been playing sports as long as she can remember and wants to continue. She has been able to handle volleyball real well but is a little unsure of soccer this spring for the Mustangs. "Soccer is going to be difficult, but I'm going to try."

And that explains Linda Bennett in a nutshell: a young lady who just wants to try. In an article written by her Junior National Volleyball coach published in the U.S. Volleyball Association's magazine, Virgil Hooe wrote that she is "an individual who is constantly positive with her teammates, who is the first to raise her expenses, who is the first to make sacrifices and play any position to help her team. This person is an excellent student, an accomplished soccer player, and a leader in school activities."

Hooe adds, "What you see with a sharp image, try squinting your eyes almost shut, and that is the image that she can see. Try passing a volleyball, digging, or hitting with that kind of vision. In fact, try living a remotely reasonable normal everyday life with that kind of eyesight. Linda does. And, I'll tell you that she does it very well. She does not give in. She does not want to be an exception at practice or anywhere else. She has to perform at a level at least 100 percent above that of her peers at practice just to compete. And she does it without complaint, where I would be hard pressed just to remain sane."

In the Bible which means so much to Linda, Hebrews 11:1 says, "Faith is being sure of what we hope for and certain of what we do not see." Linda Bennett IS faith.



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PHILATELY
THE FAMILY HOBBY



A PROFILE IN COURAGE

It seems that everytime that I pick up a newspaper or watch a major sporting event on TV, there is a story being told of some athlete that has shown unusual courage or community service. These stories constantly flow over national media to Alaska. Stories of human sacrifice and a willingness to overcome great odds just to compete. With all of this attention to outside individuals, we sometimes tend to forget that we have individuals like that right here in Alaska. People who don't want attention, just the ability to compete without pain. People who care about the teams that they play on and the individuals that they compete against, and wish that they did not have the handicaps that life has saddled them with. People who might be wondering why they have been chosen to compete on a daily basis with those individuals who have healthy bodies but don't realize just how fortunate they are..

I have been very fortunate to coach an athlete the last two years on the USVBA's Junior National Volleyball team who has been willing to pay what ever price I have asked of her just to see her team and the program succeed. Any coach that she has ever had, agrees that she is a super individual to coach. An individual who is constantly positive with her teammates, who is the first to raise her money, who is the first to make sacrifices and play any position to help her team. This person is an excellent student, an accomplished soccer player, and a leader in school activities. So what's the big deal. The big deal is that this young lady does all of this while afflicted with a rare eye disease that is incurable and has reduced her eyesight to a point of becoming legally blind. What you see with a sharp image, try squinting your eyes almost shut, and that is the image that she can see. Try passing a volleyball, digging, or hitting with that kind of vision. In fact, try living a remotely reasonable normal every day life with that kind of eyesight. Linda Bennett does. And, I'll tell you that she does it very well. She does not give in. She does not want to be an exception at practice or anywhere else. She has to perform at a level at least 100% above that of her peers at practice just to compete. And she does it without complaint, where I would be hard pressed just to remain sane. I get especially angry when I see other athletes that I coach in different sports, athletes that have a sound body, not use that ability and not care either.

However, I know that Linda does not want to be treated differently, nor does she want me to direct my anger and frustration for her to others who have more fortunate circumstances, but do not care. But, I think her story should be told, so that more people than her teachers or coaches can appreciate the effort that some individuals go through just to try, if only to try. I think that we all could learn something from her.

Virgil
Virgil Hooe
Commissioner,
U.S.V.B.A.



3234 Linden Dr.
Anchorage, Alaska 99502
April 23, 1986

Alaska Legislature
Juneau, Alaska 99801

Re: Tort Reform

Dear Legislators:

I am writing to inform you that I am opposed to the tort reform legislation which is now pending in the legislature. I believe it will have little or no impact on insurance rates. The insurance industry is cyclical in nature and perhaps reform needs to address that issue somehow.

I am particularly concerned about the limit on a pain and suffering award to a person injured needlessly due to the negligence of another individual or company. While it is true that courts and juries often seem to make excessively high awards to individuals making a claim, and while it is also true that people seem to not have just plain accidents anymore and they seem not to accept that sometimes we are just clumsy or careless and it is nobody's fault, we must still leave available to the person truly injured due to the negligence of another the possibility of a large monetary award as compensation for their injury and loss.

Limiting a pain and suffering award to a percentage of actual damages is blatantly unfair. A person with a lesser salary would then be perceived to suffer "less" of a loss even though his/her injury might be severe enough to alter his/her life radically. Perhaps there is very little time lost from work even though the injury is severe and lifelong.

I am a dalkon shield victim. This IUD caused me to have pelvic infection severe enough to damage my fallopian tubes which, in turn, caused me to have an ectopic pregnancy while wearing the dalkon shield. The ectopic pregnancy further damaged my reproductive organs. I, fortunately, was able to have one child, but the scar tissue and damage continued to cause persistent medical problems involving my female organs. I spent several years trying to become pregnant again and exhausted all

infertility treatment available to me locally. And, earlier this year, I had to have all my female organs removed in emergency surgery. Needless to say, I will never have another child.

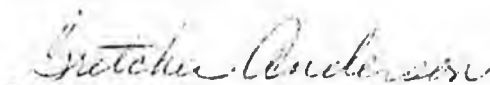
This damage was caused to me by the negligence of the company which marketed the dalkon shield. They were aware of the possible consequences to women wearing this IUD, but did not let me know of these possibilities. I can only conclude that they had a blatant disregard for my health and my life. Had I been informed of the possible health risks, then perhaps I would have to take responsibility for the consequences of my decision, but there was no possible way for me to make an informed decision because the information was kept from me.

I haven't lost a lot in wages and my medical expenses were pretty much covered by insurance. Do you actually feel that I should not be compensated for my losses? How do we put a price on the ability to bear a child? How am I to be compensated for health consequences of not having ovaries to provide my body with hormones the way nature intended? How do we prevent this particular company and others who may be planning to follow their example from perpetrating this kind of fraud and misrepresentation on the public?

If they must pay me \$2,000, it's a drop in the bucket and they go out and do the same thing again. If they must compensate me \$200,000, they will certainly think a little more about it. If I am awarded \$1,000,000, perhaps this company will alter their way of doing business. None of this will change my health or my ability to have a child, and I don't know what the ramifications of the dalkon shield related problems will be for me in the future. But perhaps this money will make my life easier in some other way. If it had come in time, perhaps I could have become pregnant by invitro fertilization which I did not have the money to try. Perhaps it will help me to be able to adopt a child somehow. I don't know if I will ever be compensated for my losses, but I certainly want to have a judge or jury determine that for me. I don't want an across-the-board law preventing me from seeking reasonable and effective redress.

As a voter and concerned citizen of Alaska, I ask you to vote against the tort reform now before you.

Sincerely,



Gretchen Anderson

At 21 YEARS OF AGE AN OIL FIELD ACCIDENT
involving shoddy equipment devastated my
life. I lost my right leg & have severe
damage to my pelvis & right hip muscles.
In deciding my liability case 10 years of
batted damage, 7 years of leg damage, & a
whole life of outdoor activity, had to
be compensated for in my opinion!

The 3 years of pain, morphine withdrawal
six operations, & emotional trauma, & the
changes my lifestyle have gone thru are
only partially compensated for in the
award given me by the judge! Do
not be unfair to someone who might
get injured sometime in the future.
LEAVE THE FOOT SYMPTOM ALONE!!

Thank You
Forest Tucker

1331 Primrose
Anchorage, Alaska 99508
March 28, 1986

Representative M. Mike Miller
Alaska House of Representatives
Box V
Juneau, AK 99801

Dear Representative Miller:

Four years ago, my mother was killed by the driver of a heavy truck, who thoughtlessly crossed into her lane and threw her car off the road. I have watched the debate over tort reform, and see HB 532 for what it is, an attempt to take away the rights of accident victims and their survivors. This will not lower insurance costs, but will only harm the efforts of those who try to bring wrongdoers to justice. Oppose all such legislation.

Very truly yours,

(Mrs.) Sherry Moehring

A handwritten signature in cursive script that reads "Sherry Moehring". The signature is written in dark ink and is positioned below the typed name.

Alaska Legislature
Page 1

Alaska Legislature
Juneau, Alaska

Dear Senators and Representatives:

I am writing to give you a victims view of "tort reform." My name is Tamio Hirose and I used to be a Japan Airlines pilot. While in Alaska in 1974, I was a passenger in a car accident and I was paralyzed from the neck down. I can never work again and I need someone to help me in most of the normal functions and activities of life.

Through Japan Airlines, I was referred to Alaska lawyers who agreed to help me on a contingent fee basis. They determined that I had a claim against General Motors who made the car I was a passenger in, because they thought the car would unexpectedly spin out when the brakes were applied hard in an emergency as it did in the accident. They thought that a crucial valve had been left out of the 1972 Caprice even though the General Motors Manuals said it was there. They thought that there was an empty housing for the valve in all 1972 Caprice's. I have heard that recently the U. S. Government is trying to make General Motors recall many of its X-cars for a similar braking spin-out problem, but that all happened after my case.

The lawyers spent many years of work, took thousands of pages of depositions, consulted with automobile experts in the United States and even in England. Eventually, in April, 1980, they took my case to trial against General Motors in Anchorage. The trial lasted nine weeks and we won. General Motors appealed, but at the end of 1981, they agreed to a settlement. They had never offered any settlement before then, seven years after my injury.

I could never had paid my lawyers by the hour as they worked on my case, and I am sure that they would not have been able to pursue such a hard fought, technical case against a big company like General Motors for less than the 33-1/3% contingent fee we agreed on.

I hope that you don't take away the ability of the next person who is injured like me to seek justice from rich and

Alaska Legislature
Page 2

powerful companies who injure them by limiting contingent fees so low that lawyers can't afford to try help them. Also, limiting the rights of injured people to claim non-economic damages will reduce even further the incentive of these companies to try settling cases before making the injured person fight for seven years.

Sincerely,

A handwritten signature in cursive script that reads "Tamio Hirose".

Tamio Hirose
1-22-15 Morigaoka Isogo-Ku
Yokohama, Japan 235

To Whom It May Concern:

Right up front I want you to know that I am personally against most of HB 532. (TORT REFORM)

The way sec. 09.17.010 noneconomic damages is worded is an elusion. Twenty five percent of the present value of damages or 500,000 whichever is less. Both figures are unrealistic. 500,000 would be 25% of two million, and I think you would be hard pressed to find someone who has paid this much money for medical costs, therefore the settlement you are proposing will always be 25% of the present damages.

I fail to see how we can dictate settlements in every case. No two cases or situations are ever the same so how can we say, all situations are the same.

I think that by limiting the settlements in each and every case, you will see a definite decline in quality control. Persons who work under threat of liability will lower their standards because they will be less fearful of monetary reprisals.

I believe you will see an increase in things such as malpractice and a decrease in suits filed because you would be taking the burden off the insurance companies and placing it on the victims. Thus you'd be giving the upper hand to the rich and taking away from the poor.

I agree with the bill in some part however I don't believe you can set limits. Even if you left out sec. 09.17.010 you would be helping cut down the bad law suits.

My daughter, at time of birth spent five months in a Seattle hospital because an Alaskan doctor was negligent in his duties. Her kidneys are dead, her bones are damaged, and maybe even a chance of brain damage. During that time there were countless operations, tubes running to her for life support and blood transfusions. She is 16 months old now and we have her constantly on dialysis because of her kidneys. Privates nurses are with her almost around the clock. Transplants are scheduled for this year if she is big enough. My wife will donate the first kidney, if all goes well no others will be needed but if my daughters body rejects the first I will be the second donor. At that point I may lose my job because of the risks of the job with only one kidney.

You tell me if you were in my shoes would you want the settlement you are proposing or would you want your day in court. The pain and suffering my family has endured has given us the right to use our judicial system.

I hope to God that nothing serious ever happens to you or your family or you may personally see the effects of the bill your proposing.

Alice S. Dunnagan

Yvonne Yarber
Manley Hot Springs
Alaska 99756

Alaska Legislature
Juneau, Alaska 99801

April 22, 1986

Dear Legislators:

Please take time to read my letter opposing the insurance crisis/tort reform effort at changing our civil justice system. I certainly recognize the insurance problem facing our state at many levels of business, health and social services however, I don't believe such legislation will remedy the situation. In fact I find it quite unfair.

I am a victim of the Dalkon Shield. It is not my fault that this product which was used in good faith has left me sterile and nearly took my life. A.H. Robins, the company which advertised this product under false pretenses does not suffer. It remains solvent and under protection of the justice system through Chapter 11. Where is the legislation that stops such companies from continuing their profits gained at the expense of others.

And why is legislation being proposed that further penalizes those of us who were damaged by the Dalkon Shield both physically and mentally? I am a survivor. I am able to work despite the toll my body has suffered. My economic damage has been a burden but not unbearable. But I ask you, how will limiting recovery of "non-economic" damages give just compensation for loss of my child-bearing ability. How will that comfort me if the man who has been my partner and mate for ten years decides he must leave me to find a woman who can give him a child of his own flesh and blood? I am not being melodramatic. It is only because of my inability to bear his children that he wrestles with whether he can live without me or not. Meanwhile, I experience a host of emotions that allows little peace of mind.

In Vitro fertilization is still a possibility for me. I am willing to try this even though childbirth is now a threat to my life since complications resulted from tuboplasty surgery to reopen my tubes. We do not have the 25,000 dollars it takes for the average couple to concieve this way. I have looked towards my Dalkon Shield settlement for this purpose if it comes before my child bearing years are over. I turned 35 years old this week. And now I find out legislation is being proposed that will take this hope from me.

I feel vulnerable and resent feeling compelled to publically display my personal life and problems in order to beg for justice. But I know there are many other women with similar problems who cannot talk about this to an unknown audience that may be unsympathetic.

The insurance crisis/tort reform effort will not stop greedy insurance companies from their gross profits. It will not address the real problem of businesses lacking scruples. It will not stop malpractice. It will not distinguish between the dedicated and talented professionals and those who are inept and irresponsible. It will simply keep money in the pockets of opportunists and as usual the little guys pay.

Why not legislation that establishes an easily accessible public record of doctors repeatedly guilty of malpractice? Of companies that repeatedly market toxic and dangerous products under false pretenses. Why not raise the insurance rates of these people instead of making everyone pay across the board?

Please consider what I have written and oppose the insurance crisis/tort reform. Bad legislation is no answer for a complex problem.

Sincerely,

Yvonne E. Parker

April 18, 1986

Al Adams, Representative
Alaska Legislature
Juneau, Alaska 99801

RE: Opposing HB 532

Dear Mr. Al Adams:

I am a Dalkon Shield victim and I want you to know that I oppose the insurance crisis/tort reform effort at changing our civil justice system. If applied to Dalkon Shield cases, the provisions you are considering would have a drastic effect on me and all other victims of Dalkon Shield. I of one am a victim that has damaged reproductive organs resulted in 3 tubal pregnancies. The first was almost deadly in my case due to a rupture of my tube while in my home town in Barrow, where there are no local surgical facilities. I've had pain & suffering and emotional anguish that is difficult to talk about. I can't bear any children, I was destroyed by the Dalkon Shield.

I've been able to perservere and continue on with my life and now, I hear that legislature is considering legislation that could limit our recovery of "non-economic" damages. And give punitive damages to the state.

If my lost wages and medical bills are \$10,000.00, I understand the provisions you are considering limits my damages for pain, and suffering, emotional anguish, loss of child-bearing ability, or whatever would be entiled to 2,500.00 . This cannot be justice to me and many others as bad as my case against the makers of Dalkon Shield, the A.H Robinson Co. who has filed in the bankrupcy court seeking protection from its creditors.

Please consider opposing the HB 532 in legislation this next session. I am hopeful that you won't allow this to happen. I want to thank you for allowing your time to read my concern over this matter.

Sincerely,



Sandra Kay Hopson
P.O. Box 508
Barrow, Alaska 99723

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

Dear Legislators:

I am a Dalkon Shield victim and I want you to know that I oppose the insurance crisis/tort reform effort at changing our civil justice system. If applied to Dalkon Shield cases, the provisions you are considering would have a drastic effect on me and all other victims of the Dalkon Shield. Many victims of the Dalkon Shield lost their reproductive organs, or they were severely damaged; we all have pain and suffering and emotional anguish that is difficult to describe and hard to talk about. Many of us can't bear children, which we dearly want.

But most of us are able to persevere and continue working, so our "economic" damage may not be great. Just medical bills and some lost wages for operations. We are victims of a company which knowingly put a time bomb in us. And now, we hear that you are considering legislation that could limit our recovery of "non-economic" damages. And give punitive damages to the state.

If my lost wages and medical bills are \$10,000, which is not unusual for a Dalkon Shield victim, I understand the provision you are considering limits my damages for pain and suffering, emotional anguish, loss of child-bearing ability, or whatever, to \$2,500. This cannot be justice in anyone's eyes.

I am hopeful that once you understand this you won't allow it to happen. Please leave our civil justice system alone so that we and future victims can have a fighting chance against rich and powerful corporations, which do, on occasion, act irresponsibly.

Sincerely,

Linda M. Ducken

Address:

*Rt 2 Box 571
Kachof, Alaska
99610*

4/25/86

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

Dear Legislators:

I am a Dalkon Shield victim and I want you to know that I oppose the insurance crisis/tort reform effort at changing our civil justice system. If applied to Dalkon Shield cases, the provisions you are considering would have a drastic effect on me and all other victims of the Dalkon Shield. Many victims of the Dalkon Shield lost their reproductive organs, or they were severely damaged; we all have pain and suffering and emotional anguish that is difficult to describe and hard to talk about. Many of us can't bear children, which we dearly want.

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Sincerely,

Lynne Rapp

Address:

*P.O. Box 3073
Homer, Alaska 99603*

April 24, 1986

Alaska State Legislature
Pouch V
Juneau, Alaska 99801

Re: Tort Reform

Dear Legislators:

I am a personal injury victim and I oppose the insurance "crisis"-tort reform effort changing our system of civil justice. The present system gives an injured person a fighting chance for justice and reasonable compensation against rich and powerful corporations and insurance companies. Limiting economic damages is unfair because sometimes people are damaged by wrong doers in important ways that are not just tied to the economic losses of wage loss and medical bills.

The day to day living of the physical pain and mental anguish generated by some physical injuries deserves fair compensation. The juries and the courts have good sense and judgment to base these kinds of losses on what our society thinks is fair.

Changing our civil system and taking these decisions away from the courts and juries will not lower insurance rates. You already have evidence in front of you that the insurance industry in Alaska is profitable. The statement that premiums will be lowered if you adopt tort reform is not supported by the experience in the Canadian Provinces where the tort reform, as proposed in Alaska, is already in place.

Changing our civil justice system won't lower the insurance rates. Please leave the system intact and in the hands of responsive and responsible members of the community, the jury and the court.

Three hundred years of careful development through the legal system of injured persons rights should not be blown away by a short term crisis created by the insurance industry's own financial mismanagement.

Sincerely yours,

Linda L. Larson

April 24, 1986

Alaska State Legislature
Pouch V
Juneau, Alaska 99801

Re: Tort Reform

Dear Legislators:

I am a personal injury victim and I oppose the insurance "crisis"-tort reform effort changing our system of civil justice. The present system gives an injured person a fighting chance for justice and reasonable compensation against rich and powerful corporations and insurance companies. Limiting economic damages is unfair because sometimes people are damaged by wrong doers in important ways that are not just tied to the economic losses of wage loss and medical bills.

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Sincerely yours,

Neil M. Phommou

April 24, 1986

Alaska State Legislature
Pouch V
Juneau, Alaska 99801

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Sincerely yours,

Mary J. Alada Adams

Alaska Legislature
Juneau, Alaska 99801

5-2-86

RE: Dalkon Shield IUD

Dear Legislators:

I am a Dalkon Shield victim and I want you to know that I oppose the insurance crisis/tort reform effort at changing our civil justice system. If applied to Dalkon Shield cases, the provisions you are considering would have a drastic effect on me and all other victims of the Dalkon Shield. Many victims of the Dalkon Shield lost their reproductive organs, or they were severely damaged; we all have pain and suffering and emotional anguish that is difficult to describe and hard to talk about. Many of us can't bear children, which we dearly want.

But most of us are able to persevere and continue working, so our "economic" damage may not be great. Just medical bills and some lost wages for operations. We are victims of a company which knowingly put a time bomb in us. And now, we hear that you are considering legislation that could limit our recovery of "non-economic" damages. And give punitive damages to the state.

If my lost wages and medical bills are \$10,000, which is not unusual for a Dalkon Shield victim, I understand the provision you are considering limits my damages for pain and suffering, emotional anguish, loss of child-bearing ability, or whatever, to \$2,500. This cannot be justice in anyone's eyes.

I am hopeful that once you understand this you won't allow it to happen. Please leave our civil justice system alone so that we and future victims can have a fighting chance against rich and powerful corporations, which do, on occasion, act irresponsibly.

Sincerely,

Debra L Hamilton

Address:

1405 Circa, #2

Anchorage, AK 99501

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

Dear Legislators:

I am a Dalkon Shield victim and I want you to know that I oppose the insurance crisis/tort reform effort at changing our civil justice system. If applied to Dalkon Shield cases, the provisions you are considering would have a drastic effect on me and all other victims of the Dalkon Shield. Many victims of the Dalkon Shield lost their reproductive organs, or they were severely damaged; we all have pain and suffering and emotional anguish that is difficult to describe and hard to talk about. Many of us can't bear children, which we dearly want.

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If my lost wages and medical bills are \$10,000, which is not unusual for a Dalkon Shield victim, I understand the provision you are considering limits my damages for pain and suffering, emotional anguish, loss of child-bearing ability, or whatever, to \$2,500. This cannot be justice in anyone's eyes.

I am hopeful that once you understand this you won't allow it to happen. Please leave our civil justice system alone so that we and future victims can have a fighting chance against rich and powerful corporations, which do, on occasion, act irresponsibly.

Sincerely,



Address:

Katherine M. Ideus
9110 King David Dr.
Anchorage, AK 99507
344-5781

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

Dear Legislators:

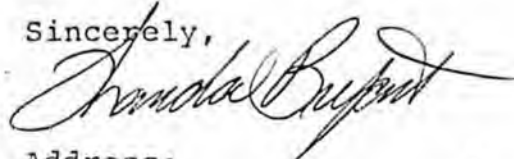
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Sincerely,



Address:

522 E. 10th Ave. #9
ANCHORAGE, ALASKA
99502

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

Dear Legislators:

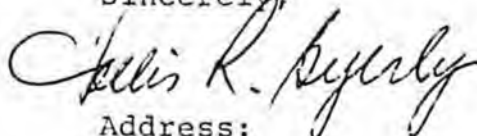
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Sincerely,



Address:

4486 Early Spring Street
Homer, Alaska 99603

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

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Sincerely,

Dorinda Gatts

Address:

1224 Gilmore Trail
Fairbanks, Alaska 99701

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

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Sincerely,

Pamela Iverson

Address:

8252 Seaview

Anch. Ak 99502

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

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Sincerely,

Paulette Henderson

2022 Gilmore Trail

Address:

FBKS. AK. 99712

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

Dear Legislators:

I am a Dalkon Shield victim and I want you to know that I oppose the insurance crisis/ tort reform effort at changing our civil justice system. If applied to Dalkon Shield cases, the provisions you are considering would have a drastic effect upon me and all other victims of the Dalkon Shield. Many victims of the Dalkon Shield lost their reproductive organs, or they were severely damaged; we all have pain and suffering and emotional anguish that is difficult to describe and hard to talk about. Many of us can't bear children which we dearly want!

While I was a user of the Dalkon Shield IUD in 1973, I became pregnant unaware of this" because the baby was growing in my tube, where it finally ruptured (pelvic inflammatory disease with a subsequent ectopic pregnancy) As a result of this my doctor removed my tube and ovary. I did risk another pregnancy and was fortunate to have a "beautiful" little girl in 1974. I do believe she is a miracle, a gift from God for my husband and me! After her birth though my doctor advised us that it would indeed be too risky to get pregnant again so I went ahead and had my other side tied, (tubal ligation) I could-have died as a result of the Dalkon Shield, and in the years since, I have continous and sometimes serious medical problems that have resulted from the IUD. My husband and me would loved to have had more children!

But most of us persevere and continue working, so our "economic" damage may not be so great. just medical bills and some lost wages for operations. We are victims of a company which knowingly put a time bomb in us! And now, we hear, we hear that you are considering legislation that could limit our recovery of "non-economic" damages, and give punitive damages to the state, which I think might not in "all-likelihood" even be CONSTITUTIONAL?

If my lost wages and medical bills are \$10,000, which is not unusual for a Dalkon Shield victim, I understand the provision you are considering limits my damages for pain and suffering, emotional anguish, loss of child-bearing ability or whatever, to \$2,500. This cannot be justice in anyones eyes!

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Sincerely,

Celia S. Warner
Address:

632 N. Pine St.
Anchorage, AK.
99508

4-18-86

Dear Legislators;

I am a Dalkon Shield Victim and have been informed of the Insurance Crisis / Tort Reform Law that you are considering. I am totally against such a law being passed. It would be totally unfair to injured persons such as myself who have suffered great pain and emotional anguish do to a product that I had put my trust in. As a result of this product I cannot bear children and therefore must deny my husband and myself the joy of a family of our own blood. It is an emotional anguish that I will suffer with the rest of my life. My husband and I both have suffered terribly because of a product that the Company put on the market knowing it was dangerous. Your "Tort Reform" Law would be completely unfair to all Dalkon Shield victims and to anyone who may be injured by a product in the future. I am damaged for life along with all other women who used the Dalkon Shield. We all paid dearly in several ways because of that awful product and I feel we deserve Economic, non economic and Punitive damages as a result. Please don't change our Civil Justice System.

I as a victim feel we need the system
to fight large Corporations when they
act irresponsibly. I feel we deserve the
non-economic and punitive damages.
I certainly don't see why the state should
get my punitive damages when I am
the one who has been suffering.
Please don't allow such a law to happen
It is unfair to us - The Victims.

Sincerely:
Mrs Bonnie R. Pusley
2619 Carroll Pl.
Anchorage, AK. 99508

I WAS 25 when my operation was performed.
My medical records state my ovaries were no longer
recognizable as organs. At 37, each year produces
more regret and more anger. At a time when I
would be starting a family, there is no chance
of that ever happening. Please explain how to
reduce this anguish ~~to~~ to 25%, so my pain
will be less.

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

Dear Legislators:

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Sincerely,

Virginia Sherwood

Address:

Box 550
Anchor Point, AK
99556

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

Dear Legislators:

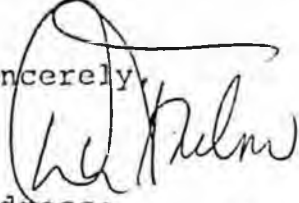
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Sincerely,


Address:

2417 LA HONDA
ANCHORAGE, AK. 99517

Alaska Legislature
Juneau, Alaska 99801

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Sincerely,

Barbara Newhead
Address: 1498 Eagle River Rd
Eagle River, AK 99577

Alaska Legislature
Juneau, Alaska 99801

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Sincerely,

Mr. & Mrs. Herbert A. Lemlyn

Address: *10131 Marmot Ct. #1
Anchorag, Alaska 99515*

Alaska Legislature
Juneau, Alaska 99801

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Sincerely,

Christina B. Dambles
Address: *1255 Old Squaw Rd
Wasilla, AK
99687*

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

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Sincerely,

Jo Wright

Address:

*SR 5079 D
Wasilla, Alaska
99687*

Alaska Legislature
Juneau, Alaska 99801

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Sincerely,

Carolyn M. Johnson

Address:

*2716 Raspberry Road
Anchorage, Alaska
99502*

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

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Sincerely,

Connie T. Diamond

Address:

3307 Boniface Sp. 68
Juneau, Ak. 99504
907) 337-5774 h.m.
907) 265-7503 wk.

April 18, 1986

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

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Sincerely,

Barbara Morpe

Address:

248 East 145th

Juneau, Alaska

99803

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

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Sincerely,

Karen Parker

Address:

*P.O. Box 4-2635
Anchorage, Ak. 99507*

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

Dear Legislators:

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Sincerely,

Yvonne C. Ray
Yvonne C. Ray

Address:

220 Galleon Drive
Anchorage, AK 99515

Alaska Legislature
Juneau, Alaska 99801

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I am hopeful that once you understand this you won't allow it to happen. Please leave our civil justice system alone so that we and future victims can have a fighting chance against rich and powerful corporations, which do, on occasion, act irresponsibly.

Sincerely,

Janice Johnson

Address:

*8820 Cordell Cir #3
Unalaska, AK 99502*

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

Dear Legislators:

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Sincerely,

Margy L. Lagana

Address:

*P.O. Box 771412
Eagle River, AK 99577*

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

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Sincerely,

Evelyn A. Taylor

Address: SR. Box 5078
Wasilla, AK

99687

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

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Sincerely,

Shari Wagg

Address:

*3811 Clay Products
Anchorage, Alaska*

99517

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

Dear Legislators:

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Sincerely,

Kathleen Featherzell Colver
KFC

Address:

H. Rt. 8571
Indian, Alaska
99540

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

Dear Legislators:

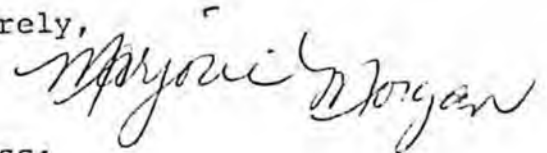
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Address:

Alaska Legislature
Juneau, Alaska 99801

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Sincerely,

Diane Seidel

Address:

2408 W 67
Anchorage, 99502

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

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Sincerely,

Klaudia Juzi

Address:

*8941 Juliana St.
Anch AK
99502*

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

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Sincerely,

*Monica Thomas
(Monica Thomas)*

Address:

Box 80135

Fairbanks, AK 99705

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

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Sincerely,

Christy Johnson

Address:

PO Box 1389

Seward, Ak 99664

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

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Sincerely,

Joan E. Barker

Address:

*2589 Honey Bee Lane
North Pole, Alaska*

99705

April 19, 1986

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

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Sincerely,

Donna McLeod

Donna McLeod
Address:

2733 W 100th Ave.

Anch.

AK 99502

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

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Sincerely,

Patricia Ann Kay

Address:

*Box 515
Birchwood, Alaska
99887*

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

Dear Legislators:

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Sincerely,

Mary J. Anterburn, William A. Anterburn

Address:

*Box 1117
Willow, Alaska*

Alaska Legislature
Juneau, Alaska 99801

RE: Dalkon Shield IUD

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Sincerely,

Dorothy A Ruth

Address:

*7443 Linden Dr
Anchorage
Alaska 99502*

PUBLIC OPINION MESSAGE

TO: REPRESENTATIVE M. MIKE MILLER
FROM: SHARON WALLEEN
2041 BOREALIS
ANCHORAGE, ALASKA 99503
279-0860

BILL NO:

SUBJECT: TORT REFORM

MESSAGE:

TORT REFORM WILL NOT LOWER INSURANCE RATES AND TORT REFORMERS ADMIT THIS. IT WILL ALLOW WRONG-DOERS TO GET OFF WITHOUT PAYING THEIR FAIR SHARE. FIND OUT MORE ABOUT INSURANCE COMPANY PROFITS IN ALASKA. VOTE NO.

DATE: 03/28/86 TIME: 11:53:06 SENT BY: ANCHORAGE LIU

COPIES TO: HOUSE MEMBERS
SENATE MEMBERS

PUBLIC OPINION MESSAGE

TO: REPRESENTATIVE M. MIKE MILLER
FROM: PEGGY WILLIAMS
4319 SAN ROBERTA, #1
ANCHORAGE 99508
258-1029

BILL NO:
SUBJECT: JUSTICE FOR VICTIMS

MESSAGE:

INSURANCE REFORM NOT TORT REFORM. VOTE NO ON HB 532.
VOTE NO ON HB 465 DIVESTMENT. SUPPORT SB 187 ON ADOPTION.
SUPPORT HB 547, HEALTH INSURANCE AND HB 589, HEALTH.
JUSTICE FOR THE VICTIMS NOT INJUSTICES. DON'T SUPPORT
LAWS AGAINST THE PEOPLE. SEE YOU AT ELECTION TIME.

DATE: 03/28/86 TIME: 13:36:59 SENT BY: ANCHORAGE LIO

COPIES TO: HOUSE MEMBERS
SENATE MEMBERS