



Connecticut Business & Industry Association

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Testimony of Kevin R. Hennessy  
Staff Attorney  
Connecticut Business & Industry Association  
Before the Judiciary Committee  
Legislative Office Building  
Hartford, CT  
March 20, 2009

My name is Kevin Hennessy. I am a staff attorney for the Connecticut Business and Industry Association (hereinafter "CBIA"). CBIA represents approximately 10,000 member companies in virtually every industry. They range from large, global corporations to small, family owned businesses. Approximately 90 percent of our member companies have fewer than 50 employees.

Thank you for the opportunity to comment on the following bills:

- **SB-641**, AAC *The Statute of Limitations for Medical Malpractice Actions with Respect to Acquired Brain Injury*;
- **SB-1026**, AAC *The Tolling of Time Periods for Bringing a Civil Action While Police Investigations are Pending*;
- **HB-6577**, AAC *The Tolling of the Statute of Limitations for a Negligence Action by a Minor*;
- **SB-1090**, AAC *the Collection and Disclosure of Social Security Numbers*;
- **SB-1030**, AAC *the Apportionment of Liability After a Claim is Withdrawn*;  
*and*
- **SB-963**, AAC *the Connecticut Business Corporation Act*.

The following written testimony is separated by issue area.



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**Apportionment of Liability After a Claim is Withdrawn**

CBIA supports **SB-1030**, *AAC the Apportionment of Liability After a Claim is Withdrawn*. The bill allows defendants to apportion liability to a person after the plaintiff withdraws a civil action against the person. Currently, law allows defendants to apportion liability to a person with whom the plaintiff has settled or released from liability.

Extending the apportionment of liability after a claim is withdrawn will ensure that defendants are not liable for the proportionate share of a plaintiff's damages when they were not responsible. This is good public policy that will afford protections to defendants in civil actions. Currently, plaintiffs drive the civil action process and this measure helps to even the playing field between plaintiffs and defendants.

CBIA urges you to adopt **SB 1030**, *AAC the Apportionment of Liability After a Claim is Withdrawn*.