

Congress of the United States
House of Representatives
Washington, DC 20515

March 12, 2007

Support Common Sense Legal Reform --
Cosponsor H.R. 989, the Innocent Sellers Fairness Act

Dear Colleague:

A building supply dealer sells a hammer to his attorney. The attorney's son goes out and hammers rocks, injuring his eye in the process. The customer-attorney sues the dealer.

Sadly, the anecdote you just read isn't a joke – it actually occurred, and it isn't the only example. Unfounded and unfair lawsuits are increasingly threatening the ability of retailers and sellers to run their businesses and contribute to their communities. Even when they did not design, manufacture, alter or install the product, sellers are sued by a plaintiff's attorney and usually end up paying significant costs to settle despite their innocence.

Here is another example of this problem:

A dealer in Ohio sold slate-style shingles to a customer. The shingles were shipped directly from the wholesaler to the jobsite; the dealer never saw nor touched the product. The coating later wore off some of the shingles, resulting in a spotty appearance, and the dealer was forced to pay \$16,000 in a settlement.

Sellers/retailers generally are small business owners who constantly strive to offer the best products and services to their customers. Unfortunately, abuses of our legal system drive up the costs of their goods and discourage economic growth.

To restore common sense and fairness to the system, we have reintroduced H.R. 989, the **Innocent Sellers Fairness Act (ISFA)**. This legislation simply establishes that sellers should only be held responsible in proportion to their wrongdoing and frees sellers from liability when they have done nothing wrong. This bill is identical to legislation (H.R. 5500) which garnered bipartisan support in the 109th Congress.

Under the bill, if sellers make mistakes they should pay. If they don't, they won't. What could be more fair than that?

To learn more about the *Innocent Sellers Fairness Act* or to cosponsor the bill, please contact Wendy Bailey in Rep. Boren's office at 5-2701 or Kim Betz in Rep. Chabot's office at 5-2216.

Sincerely,



Dan Boren
Member of Congress



Steve Chabot
Member of Congress