

if you split it, \$1,250 each. We had a hearing about this last year. I appeared at it. The Labor Committee heard it and the Labor Committee followed my suggestion and recommendation that, in fact, we pay 22,500 for state funds to pay this female...this woman who had won the lawsuit, a young woman, and that the individual defendants, because of their acts...because of their demeaning and degrading remarks, because of the way they treated this particular woman employee should be responsible for paying their own \$2,500 in damages. Well, unbeknownst to us, that claim was approved in that manner. The state allocated 22,500.

PRESIDENT: One minute.

SENATOR McFARLAND: Those individual defendants then went back...they had been found individually liable...they went back to the woman and her attorney and said, well, the state only approved 22,500 so we're not going to pay this to you. We're going to threaten...we may appeal this and drag this payment out for several years unless you agree to reduce the amount of the settlement. And so, with that leverage, they were successful in reducing the amount of the settlement from 25,000 to 24,000 and the state paid the 22,500, the individuals paid 750 apiece and got out of paying \$500 each and now they're back before us trying to claim indemnification for the 750 that they did pay. I think this case is an illustration of the problems in the process because we will discuss this case when LB 811 comes before the Legislature but it seems to me in certain instances individual defendants should be held individually liable and we should not be coming in to bail them out for their kind of demeaning and degrading remarks that they make about women and the way they discriminate against women in this case.

PRESIDENT: Time.

SENATOR McFARLAND: Thank you.

PRESIDENT: Thank you. Senator Warner, please.

SENATOR WARNER: Mr. President, I want to respond to a couple of the points that have been made, and, admittedly, I am not an expert in the legal technicalities of this but I recognize basic fairness and I recognize basic unfairness, as all of us can. And the system that we now have has a basic unfairness in it that I don't think can properly be ignored. Much of the concern I have heard about the bill directs to the judgment of the