

to...well, we'd enter into our agreement to pay whatever sum...

SENATOR PIRSCH: Right.

SENATOR KRISTENSEN: ...we thought was appropriate to settle the case. If I was suing you, I would sign a release.

SENATOR PIRSCH: We settled, in other words.

SENATOR KRISTENSEN: Right, we settled.

SENATOR PIRSCH: And then the other is the discharge, which is after the case is settled. Is that the difference between the two?

SENATOR KRISTENSEN: Can you tell me what page of the bill you're reading on, real quick, Senator Pirsch.

SENATOR PIRSCH: Well, Section 7, which will be the first...

SENATOR KRISTENSEN: Okay.

SENATOR PIRSCH: ...part of Section 7, which is the old language in the bill, talks about the agreement entered into by claimant and a person liable shall discharge that person from all liability, but shall not discharge any other persons. What we are saying in the second part or what your amendments would make the second part of that section is that released covenant by a claimant and a person liable shall preclude that person from being made a party. So, as I get it, that's before there is any judgment, and the other discharges you during the judgment. Is that correct?

SENATOR KRISTENSEN: No, I think both of them, both of them deal with settlements before hand. And what we do, the bill, as drafted, says shall discharge, this now says shall preclude you from making...being a party of any action pending, that's, dragging it back in.

SENATOR PIRSCH: Right, so you would not go into the action then, because you've already settled. But...

PRESIDENT: Excuse me, Senator Pirsch, Senator Pirsch. (Gavel.) Please hold it down so those discussing the subject can hear each other. Thank you.