

SENATOR PIRSCH: Well, it says, it shall be a basis for that person's dismissal, but the person's fault shall be considered in accordance with Section 4 of this act. So, even if you settle before or if you are made to settle within the court, I'm trying to see that it still will be decided at the end of the decision. And even if you have settled ahead of time, you still will have to pay in accordance to your percentage of fault. Is that not correct?

SENATOR KRISTENSEN: No, that is not correct.

SENATOR PIRSCH: Okay.

SENATOR KRISTENSEN: If you settle, you're going to get your percentage and the amount you settle for is then going to go back into the reallocation or into the determination of fault.

SENATOR PIRSCH: Okay. So you'd be better off settling then ahead of time, and then that's done with, and that goes into the final judgment, so yours is already then determined by your settlement before...

SENATOR KRISTENSEN: That's right.

SENATOR PIRSCH: ...and then the rest of them pick up what you...

PRESIDENT: Time.

SENATOR PIRSCH: ...what you did not.

SENATOR KRISTENSEN: They share in the rest of it, they share in the rest of the pie, whatever you didn't settle for. That's what (inaudible.)

SENATOR PIRSCH: No matter what your percentage?

SENATOR KRISTENSEN: Right, well that's...that percentage would figure in later,...

PRESIDENT: Time has expired.

SENATOR KRISTENSEN: (Interrupted.)

SENATOR PIRSCH: The percentage would figure in later for what?