

CHRIS CHOCOLA  
2ND DISTRICT, INDIANA

510 CANNON HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-3915

ASSISTANT MAJORITY WHIP

**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515-1402

100 EAST WAYNE STREET  
SUITE 330  
SOUTH BEND, IN 46601  
(574) 251-0596

COMMITTEE ON TRANSPORTATION  
AND INFRASTRUCTURE

COMMITTEE ON AGRICULTURE

COMMITTEE ON SMALL BUSINESS

444 MALL ROAD  
LOGANSPORT, IN 46947  
(574) 753-4700

## **It's time to hold people who file frivolous lawsuits accountable for their actions.**

May 11, 2004

Dear Colleague:

So far this Congress, the House has passed three bi-partisan bills to reform our tort system. But, we can't stem the tide of frivolous lawsuits until would-be litigants have a personal financial stake in the matter.

Soon, I will introduce a "loser pays" litigation reform bill, companion legislation to Senator Lindsey Graham's "Legal Expense Equity Act."

The bill establishes a set of guidelines under which the loser of a civil lawsuit in federal court could be required to pay the winner's attorneys' fees.

In order to receive compensation for attorney's fees, the winning side must have made a settlement offer that was rejected, and then file a petition with the judge requesting compensation. The judge would then decide whether the loser pays. Giving judges this discretionary authority will protect litigants who bring unsuccessful lawsuits in good faith, but who lose for other reasons, from being forced to pay the defendant's attorneys' fees.



A "loser pays" system would encourage potential litigants and their attorneys to think twice before filing frivolous lawsuits, to consider the merits of their case, and to settle their differences without going to trial.

For more information, or to be an original co-sponsor of this bill, please contact Rob Vernon in my office at 5-3915.

Yours truly,

A stylized, handwritten signature in cursive that reads "Chris".

Chris Chocola  
Member of Congress