

PRESIDENT: Senator Haberman.

SENATOR HABERMAN: I'll wait till (inaudible).

PRESIDENT: Okay, Senator Lamb, do you wish to speak on this one? Senator DeCamp. Senator Higgins.

SENATOR HIGGINS: Mr. President, I just have one question of Senator Barrett, if he would yield.

SENATOR BARRETT: Certainly.

SENATOR HIGGINS: The fifth point in your amendment was what?

SENATOR BARRETT: In determining whether to award prejudgment interest, Senator Higgins, the judge shall take into consideration, and the last point was, such other circumstances as may affect the fairness of awarding such interest. This does give the judge then discretionary power.

SENATOR HIGGINS: In that case the amendment that I had adopted on General or Select File, General File I think it was, that the prejudgment interest, all of it had to go to the plaintiff.

SENATOR BARRETT: Yes.

SENATOR HIGGINS: This part of your amendment says the judge will decide whether...

SENATOR BARRETT: No, this part...

SENATOR HIGGINS: ...the attorney will get part of it?

SENATOR BARRETT: My amendment will not affect the amendment which was...your amendment which was adopted on previously.

SENATOR HIGGINS: Okay, that is what I wanted to get straight. Thank you, Senator.

PRESIDENT: Senator DeCamp, do you wish to speak?

SENATOR DECAMP: Mr. President, I would vigorously oppose