



Paula A  
Bartels/WIEB/07/USCOURTS

02/03/2010 10:30 AM

To

cc

bcc

Subject: Fw: p.i. exemption

----- Original Message -----

From : "Bruce Lanser" <blanser@lanserlaw.com>  
To : <susan\_v\_kelley@wieb.uscourts.gov>  
Cc : "'Leonard G. Levenson'" <lgl@levmetz.com>  
Sent on : 01/11/2010 07:01:33 PM  
Subject : FW: p.i. exemption

Judge Kelley:

If copies haven't already been made, could this email be added to the materials? I think it's an important piece of legislative history supporting the notion that the personal injury exemption is intended to apply to each occurrence. So, if you the debtor has more than one personal injury claim, the exemption applies to each one. Thanks.

Bruce

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**From:** Cale Battles [mailto:cbattles@wisbar.org]  
**Sent:** Monday, January 11, 2010 3:15 PM  
**To:** 'Bruce Lanser'  
**Cc:** 'Leonard G. Levenson'  
**Subject:** RE: p.i. exemption

I think I have the answer on the personal bodily injury claim. I will try to explain over e-mail, but if either of you have questions please feel free to call.

Way back when the committee made a number of suggestions to Rep. Sheryl Albers legislation in 2003. Her office submitted the recommendations to the drafting attorney. Included in those suggestions was the recommendation to change the personal bodily injury claim as follows:

s. 815.18(3)(i)c : Change “A payment” to “A payment or payments.” Change “\$25,000” to “\$40,000” for each personal bodily injury claim”.

Exemptions Committee Note: The increase in the dollar amount is adjust for inflation. The provision is also designed to codify unreported interpretations of existing law which have sustained multiple exemptions claims for personal injuries arising from different sets of circumstances. The intent is to allow multiple exemption claims for different accidents or other events triggering injuries, but not allow multiple exemptions simply because numerous parties were involved in, say, a multi-vehicle collision.

The drafting attorney made all the requested changes, but did not make the change from “A payment” to “A payment or payments.” In the drafting notes he made a brief comment regarding not making this change:

The request included a number of changes to add a plural to a singular noun, which I did not do because s. 990.001(1) of the statutes provides that the singular includes the plural and the plural includes the singular throughout the statutes.

For your information I have attached s. 990.001(1)  
<http://www.legis.state.wi.us/statutes/Stat0990.pdf>

I'm not sure that helps in clarifying the issue, but it at least gives you an idea of why the full change wasn't made. Let me know if you have any questions.

Cale

Cale Battles

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