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Case Bulletin: Tort Law

Pennsylvania Supreme Court Affirms Decisions Ruling that the Fair Share Act Is Unconstitutional

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Estate of Louis A. Hicks v. Dana Corporation, et al.
Pennsylvania Supreme Court
Decided on September 27, 2006

H. William DeWeese v. Honorable Pedro A. Cortes
Pennsylvania Supreme Court
Decided on September 28, 2006

The Pennsylvania Supreme Court affirmed the rulings of the Court of Common Pleas of Philadelphia County and the Pennsylvania Commonwealth Court ruling that the Fair Share Act (Act of June 19, 2002, P.L. 394), was unconstitutional and void.

At this time, the application of comparative negligence in Pennsylvania is decided in accordance with 42 Pa. C.S.A. § 7102.