

"Erroneous act of the Supreme Court in Exxon Shipping Co. v. Baker"

My name is Kellie Kvasnikoff. I was a commercial fisherman forced into a career change by the 1989 Exxon Valdez oil spill. I am now the Chief Information Technology Officer for the Snoqualmie Indian Tribe. In 2006 I published a book on the oil spill entitled "Exxon Valdez 18 Years and Counting". In that book I said that "justice" for the Exxon Valdez-impacted fishermen should be spelled "Just Us." The law did not help us in our time of need. It hindered us. The law went any way Exxon wished to pull it.

This latest Supreme Court decision on "punitive damages" (Exxon Shipping Co. v. Baker) is more of the same. It is a travesty. It is filled with errors. Bad facts, bad law.

Please consider this a petition to open an investigation immediately and without delay into the wrongdoings of the Exxon Shipping Company and specifically the erroneous act of the Supreme Court in Exxon Shipping Co. v. Baker. I note that Justice John Paul Stevens wrote in his dissent, "Congress is far better situated than this court to assess the empirical data, and to balance competing policy interests, before making such a choice." Justices Ruth Bader Ginsburg and Stephen G. Breyer also dissented. Ginsburg wrote: "The new law made by the court should have been left to Congress."

I hope you will look into and call witnesses on all aspects of this Exxon case: Can you fix maritime law so that it does not wrong-doers? Where does this business of "caps" on punitives come from? How does this Supreme Court calculate the "compensatory damages" that are supposed to figure in the outcome? Did anybody count the natural resource damages "reopener" monies that haven't even been collected yet and should go to compensate Alaskan natives for cultural damage? And what about the ethics of allowing the Seattle Seven to deal away secretly with Exxon 11% of the original punitive award?

We, the undersigned, request that our elected representatives act in accordance with the Constitution of the United States of America in a legal and expedient manner for an open hearing before the people of the United States and your Congressional law-making bodies. Please leave no stone unturned in exploring this travesty of justice and the particulars of how and why it happened.

In the end, we hope you will be moved yourselves to reinstate the \$5 billion award that the jury saw fit to impose. This destruction of an economic asset created by the U.S. jury system should not be undone so cavalierly. While Exxon made it happen, the U.S. let it happen.

We feel it is our patriotic duty to request such action from you, our elected officials, and your duty to respond in a responsible manner.

Sincerely,

We have sent 666 letters to Congress so far. Please join us!

Sign this petition online at

<http://www.rallycongress.com/exxon>