

**HART
WAGNER**^{LLP}
TRIAL ATTORNEYS

Richard J. Kuhn
Direct: (503) 595-1243
rjk@hartwagner.com
Admitted in Oregon

Twentieth Floor
1000 S.W. Broadway
Portland, Oregon 97205
Telephone (503) 222-4499
Fax (503) 222-2301

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Jeff Barker, Chairman
House Judiciary Committee
900 Court St. NE, H-480
Salem, OR 97301

RE: Senate Bill 46

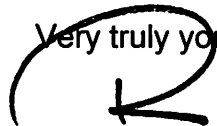
Dear Representative Barker:

I am writing in favor of Senate Bill 46. I have represented design professionals in Oregon for the past 32 years as a defense attorney. The Oregon Design Professionals are asking that Senate Bill 46 be passed by both houses in order to conform the statute of ultimate repose for a large commercial structure on claims against Design Professionals to the statute of ultimate repose on such claims against contractors.

Currently, ORS 12.135 provides a 10 year statute of ultimate repose on residential structures, condominiums and small commercial structures as set forth in ORS 12.135(1)(b) on claims against contractors and design professionals. That will not change.

In the last legislative session, ORS 12.135 was amended to provide a six year statute of ultimate repose on large commercial structures, other than a condominium, on claims against contractors. For whatever reason, this section was not drafted to include the same change as to design professionals. Therefore, Oregon's Design Professionals are asking that the Senate and the House amend ORS 12.135 so that this six year statute of ultimate repose for large commercial structures applies to design professionals as well as contractors and subcontractors.

Thank you for your courtesies.

Very truly yours,

Richard J. Kuhn

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