

**From:** Nicholas Sherman <[Nick@ksepartners.com](mailto:Nick@ksepartners.com)>

**Sent:** Monday, February 23, 2015 4:01 PM

**To:** Maxine Grad

**Cc:** Willem Jewett

**Subject:** H.105 Language Request

Dear Representative Grad,

As you know my firm (KSE Partners) represents the Internet Coalition (IC). On behalf of IC I would like to respectfully request the House Judiciary Committee consider adding language to H.105 to clarify that internet communication service providers (ie. Google, Yahoo) be exempt from liability under the bill.

The language (copied below) would clarify that Vermont law is consistent with federal law, which has distinguished between information service providers (Google) and information content providers (a person or entity uploading information) and recognized that companies that host information from hundreds of thousands or millions of people can't be reasonably expected to police them. Beyond the federal government, many other states have adopted similar language.

Please find our request explained in depth in the attached letter from the IC.

I will try and catch you first thing tomorrow morning in the statehouse to discuss further. I gave Representative Jewett a heads up that we would be offering this last Friday. I should also note that we have run the language by Representative Kesha Ram and she indicated she is OK with it.

We would be most appreciative if your committee would consider our request.

Thanks very much and see you tomorrow,

Nick Sherman  
KSE Partners

Here is our proposed language:

Nothing in this Act shall be construed to impose liability on the provider of an interactive computer service, as defined in 47 U.S.C. 230(f)(2), or an information service or a telecommunications service, as defined in 47 U.S.C. 153, for content provided by another person.

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