

March 14, 2017

California State Legislature
Assembly Judiciary Committee

Hand-delivered

RE: AB 1056, Asbestos Tort Trust Transparency (Kiley) - NAMIC's written testimony IN SUPPORT

Dear Assembly Member Stone, Chair; Assembly Member Cunningham, Vice Chair; and honorable members of the Assembly Judiciary Committee:

Thank you for affording the National Association of Mutual Insurance Companies (NAMIC) an opportunity to submit written testimony to your committee on AS 1056.

The National Association of Mutual Insurance Companies (NAMIC) is the largest property/casualty insurance trade association in the country, with more than 1,400 member companies. NAMIC supports regional and local mutual insurance companies on main streets across America and many of the country's largest national insurers. NAMIC members represent 40 percent of the total property/casualty insurance market, serve more than 170 million policyholders, and write nearly \$225 billion in annual premiums. NAMIC has 156 members who write property/casualty in the State of California, which represents 26% of the insurance market.

NAMIC is pleased to support AB 1056, because the proposed legislation is pro-asbestos claimant, pro-litigation efficiency, and pro-judicial fairness. Current law allows unscrupulous plaintiffs to manipulate and hide evidence between their trust claim cases and their tort cases; thereby, making the litigation system prone to fraud where some claimants "game the system" by collecting for the *exact same damages* in their trust claims and then also in their tort cases.

The proposed legislation is a reasonable and measured tort reform legislative proposal that would require plaintiffs to file and disclose all asbestos trust claims before trial, so that jury has all of the information and evidence it needs to thoroughly evaluate the claim. This proposed asbestos claims transparency will prevent unscrupulous claimants from being able to "double dip" for damages they are not legally entitled to recover and which unreasonably reduce available settlement funds for future meritorious asbestos claimants.

For the aforementioned reasons, NAMIC respectfully requests that the Assembly Judiciary Committee **VOTE YES on AB 1056, because claimants who wrongly "double-dip" for damages hurt all future asbestos claimants.**

Thank you for your time and consideration. Please feel free to contact me at 303.907.0587 or at crataj@namic.org, if you would like to discuss NAMIC's written testimony.

Respectfully,

A handwritten signature in black ink, appearing to read "Christian John Rataj". The signature is written in a cursive style with a large initial "C".

Christian John Rataj, Esq.
NAMIC – Senior Director of State Affairs
Western Region