



United Policyholders

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July 9, 2015

Hon. Bob Goodlatte
U.S. House of Representatives
2309 Rayburn HOB
Washington, D.C. 20515

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Re: H.R. 1927: Fairness in Class Action Litigation Act of 2015 - OPPOSE

Dear Representative Goodlatte:

We are writing to express our strong opposition to House Resolution 1927, the Fairness in Class Action Litigation Act of 2015. H.R. 1927 will severely limit access to the Federal courts for victims of corporate misconduct. If H.R. 1927 becomes law, substantively meritorious claims may be dismissed summarily on procedural grounds. This is an *unfair* result.

Why do “we” care? Because class actions empower consumers by allowing individuals who have been harmed to get together with others in the same situation and hire experienced counsel to represent them. By placing an extraordinary burden on plaintiffs to show the *same type and extent of injury*, that meets the admissibility standards set forth in the Federal Rules of Evidence, H.R. 1927 will significantly limit the ability of consumers to bring class action lawsuits. Rule 23 of the Federal Rules of Civil Procedure requires that members of a class have *common questions of law or fact*, which is the proper legal standard.

“We” are United Policyholders (“UP”), a non-profit 501(c) (3) organization founded in 1991 that is a voice and an information resource for insurance consumers in all 50 states. UP is funded by individual and business donations and foundation grants. UP’s work is supported by volunteer attorneys, claims professionals, and staff in all 50 states. UP does not sell insurance or accept funding from insurance companies. At www.uphelp.org, UP offers a variety of resources to help homeowners and businesses with the claims process.

As such, UP strongly supports insureds having the ability to hold insurers accountable for engaging in unfair claim practices. Class action litigation has been successful in exposing widespread claim mishandling, *e.g.*, claim denials and “low-balling” by insurers and helped to remedy and compensate victims through “pattern and practice” class action litigation. Because every insurance claim is unique, and the quantum of injury may differ, H.R. 1927 would effectively end insurance class action lawsuits and deny justice to many insureds.

We urge that you withdraw H.R. 1927. Thank you for your time and consideration.

Sincerely,

Amy Bach, Esq.
Executive Director