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CALIFORNIA SENATE BILL SB447 WOULD GREATLY BENEFIT THE CALIFORNIA STATE PIPE TRADES

California is one of only five states that allow victims' pain and suffering damages to die with them. All too often, grossly negligent corporate defendants take advantage of this law, purposefully prolonging court proceedings hoping that delays will outlive the victims. COVID-19 has made this problem worse, with no end in sight, especially for victims who suffer from terminal illnesses. These delays can significantly impact cases involving asbestos-related cancers, such as mesothelioma and lung cancer, and severe asbestosis by giving defendants a means to deny a victim fair compensation for their negligence. SB447 would correct that injustice.

California's inequitable law serves to protect negligent defendants who unfairly benefit when the victims die before case resolution. This is unjustifiably cruel and punishes servicing families as they mourn the loss of a loved one, unable to hold the wrongdoer accountable.

It is especially devastating when the plaintiff's damages are not primarily based on how much they earn. Typically, the plaintiff's "suffering damages"—known as pain and suffering—are much greater than the economic damages. Yet pain and suffering damages are lost when the victim dies. It is tragic for the widow and their family to lose this crucial financial help, and the defendant who caused this gets off at a cheap cost, encouraging defendants to continue their bad behavior.

To fully ensure deterrence and restore equity for plaintiffs who will not survive until a trial's verdict is entered, passing SB447 would update California law to allow victims a means to preserve their pain and suffering damages for their widow and family.

We recommend you contact your State Assemblymember and Senator with a call, email or letter letting them know you support SB447. Use <http://findyourrep.legislature.ca.gov> to learn who represents you in Sacramento.

Please give us a call or email if you have any concerns or questions about your asbestos-related mesothelioma, lung cancer or asbestosis.

Best Regards,

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