



# U.S. Public Interest Research Group

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### **Vote No On Final Passage of S. 5, The So-Called Class Action Fairness Act No On Final Is The Vote To Protect Consumers**

16 February 2005

Dear Representative:

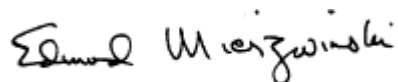
We are writing on behalf of the members of the non-profit, non-partisan state Public Interest Research Groups (PIRGs) to urge your strongest possible opposition to the so-called "Class Action Fairness Act" (S. 5) when it reaches the House floor. If the bill becomes law, millions of consumers who are harmed by violations of state consumer protection laws will have no avenue to recover their losses and hold corporations accountable.

Proponents of the bill have said that "the Class Action Fairness Act would simply allow federal courts to more easily hear large, national class action lawsuits affecting consumers all over the country." Nothing could be further from the truth—the bill includes a Catch-22 that locks the courthouse doors on most consumer claims. That's because federal judges routinely reject (refuse to certify) multi-state consumer class action claims based on violations of state law. Unfortunately, the Feinstein-Bingaman amendment to ameliorate this problem failed on the Senate floor, leaving a terminally defective bill rushing toward the President's desk.

We support substitute amendments to make the bill fairer to consumers, but the most important vote you can make is **against final passage of S. 5**. This legislation will fundamentally unbalance our system of justice at the behest of powerful corporations that seek nothing less than to prevent aggrieved consumers who've suffered from credit card or insurance rip-offs, environmental contamination or unsafe products from having their day in court.

Please contact me if you or your staff have any questions.

Sincerely,



Edmund Mierzwinski  
Consumer Program Director