

Tort Wars: The California Legislature Strikes Back

ARTICLE

Mar 7, 2012

Key Contributors



Thomas A. Woods

916.319.4748

Related Industries

Health Care

Related Services

Health Care

Litigation

Stoel Rives attorney Tom Woods discussed in a Law360 article efforts by the California legislature to expand tort recoveries in personal injury cases. On February 24, 2012, California Senate President Pro Tem Darrell Steinberg introduced Senate Bill 1528, that aims to overturn last year's long awaited California Supreme Court decision in *Howell v. Hamilton Meats & Provisions Inc.*

The issue in *Howell* was whether plaintiffs could recover, as a measure of economic damages, the previously negotiated amount that their insurers — and plaintiffs — were not obligated to pay medical providers for treatment. The Supreme Court ruled that plaintiffs could not.

Read on to learn more about how the *Howell* decision fostered fairness and equity given the current state of the law, regardless of what the legislature now says. See how Senate Bill 1528 will result in personal injury litigants paying for economic losses no one ever sustained — hardly a fair result.

[Read the full article](#)

"Tort Wars: The California Legislature Strikes Back" was published by Law360, March 7, 2012.