

From: James C. Edmonds [<mailto:jedmonds@fetherstonedmonds.com>]
Sent: Friday, April 12, 2013 9:44 AM
To: Sen Courtney
Subject: HB 3160

Dear Senator Courtney

I am a resident of your district. I write to you as a concerned voter and as a practicing attorney.

HB 3160 amends the Unfair Trade Practices Act with requirements placed on insurers "**and other persons**". Unfortunately, this language is overly broad and could include attorneys handling civil litigation on behalf of Plaintiffs and Defendants. This means practicing lawyers will be subject to claims for Unfair Trade Practices. This should not be part of Oregon law.

As you know, an attorney represents his / her client under a variety of ethical and standard of care obligations. These obligations provide the method for evaluating attorney conduct. Sometimes lawyers must take positions and present arguments that may not seem "fair" to the other side. If attorneys are subject to the UTP, this burden creates a conflict that deters an attorney from working with a client to move the case through the legal system. Whether representing the Plaintiff or Defendant in a civil lawsuit, this type of claim casts a "chilling" effect over the capacity of an attorney to act on behalf of a client.

Please do not allow this to occur!

Let me now if I can provide you with additional information.

Thank you

Jim Edmonds
Fetherston Edmonds LLP
jedmonds@fe-attorneys.com
503-931-5815