

# Washington State Supreme Court Unanimously Decided in Bailey Glasser Client's Favor

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In a 9-0 ruling, the Washington State Supreme Court decided that the state Consumer Protection Act protects out-of-state consumers. The court also found that plaintiffs could sue out-of-state defendants for the allegedly deceptive acts of an in-state agent.

Sandra Thornell, the named plaintiff in this class-action lawsuit, filed suit after receiving a misleading collection letter from Seattle Service Bureau on behalf of State Farm Mutual Automobile Insurance Company for more than \$9,000 after her son was involved in an accident with a State Farm-insured motorist.

Though the letter claimed Thornell owed more than \$9,000, State Farm's claim had not been adjudicated in any way, and no liability to State Farm had been established by any one.

The lawsuit was brought by Bailey Glasser attorneys James Kauffman and Michael Murphy of the firm's Washington, D.C., office.

State Farm removed the complaint to the U.S. District Court for the Western District of Washington, which certified two questions to the Washington State Court: Does the Washington Consumer Protection Act create a cause of action for a plaintiff residing outside of Washington, and does the act create a cause of action for an out-of-state plaintiff to sue an out-of-state defendant for the allegedly deceptive acts of its in-state agent.

Unanimously, the court said yes to both questions, rejecting arguments from State Farm and the Seattle Service Bureau that the act was intended only to protect residents of Washington state.

The court agreed with arguments made by Bailey Glasser attorneys, as well as Terrell Marshall Law Group and amicus briefs by others, that such a narrow reading of the act would allow unscrupulous companies to escape liability and put honest businesses at a competitive disadvantage.

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CLIENT'S FAVOR

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Insurance Recovery