



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 363		DATE: 2/23/2021	
COMMITTEE: Special Committee on Litigation Reform			
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: BRIAN BERNSKOETTER		PHONE NUMBER: 573-636-2822	
REPRESENTING: MISSOURI ASSOCIATION OF CRIMINAL DEFENSE LAWYERS		TITLE:	
ADDRESS: 101 EAST HIGH STREET			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65109
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/23/2021 12:00 AM	
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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: HEATH CLARKSTON		PHONE NUMBER: 573-469-4173	
REPRESENTING: UNITED STATES CHAMBER OF COMMERCE		TITLE:	
ADDRESS: 314 E. HIGH ST.			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65109
EMAIL: heath.clarkston@lgpmconsulting.com	ATTENDANCE: Written		SUBMIT DATE: 2/22/2021 10:20 PM
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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: MARK BEHRENS		PHONE NUMBER: 202-639-5621	
REPRESENTING: U.S. CHAMBER INSTITUTE FOR LEGAL REFORM		TITLE: CO-CHAIR, PUBLIC POLICY GROUP	
ADDRESS: 1800 K STREET NW, SUITE 1000			
CITY: WASHINGTON		STATE: DC	ZIP: 20006
EMAIL: mbehrens@shb.com	ATTENDANCE: In-Person	SUBMIT DATE: 2/23/2021 11:32 AM	
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U.S. Chamber Institute for Legal Reform testimony in support of the bill.



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: MATTHEW PANIK		PHONE NUMBER: 573-634-3511	
REPRESENTING: MISSOURI CHAMBER OF COMMERCE AND INDUSTRY		TITLE:	
ADDRESS: 428 EAST CAPITOL AVENUE			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/23/2021 12:00 AM	

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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: RAY MCCARTY		PHONE NUMBER: (573) 634-2246	
REPRESENTING: ASSOCIATED INDUSTRIES OF MISSOURI		TITLE: PRESIDENT/CEO	
ADDRESS: 3234 W. TRUMAN BLVD.			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65109
EMAIL: rmccarty@aimo.com	ATTENDANCE: Written		SUBMIT DATE: 2/17/2021 11:40 AM

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Associated Industries of Missouri supports this legislation that will inform judges and juries of other remedies available to plaintiffs for recovery of costs associated with asbestos exposure. This will allow the judge and/or jury to determine the appropriate amount that should be awarded in any cases against plaintiffs other than the producers of asbestos.



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REGISTERED LOBBYIST:			
WITNESS NAME: RAY MCCARTY		PHONE NUMBER: 573-634-2246	
REPRESENTING: ASSOCIATED INDUSTRIES OF MISSOURI		TITLE: PRESIDENT/CEO	
ADDRESS: 3234 W. TRUMAN BLVD.			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65109
EMAIL: rmccarty@aimo.com	ATTENDANCE: Written		SUBMIT DATE: 2/22/2021 6:12 PM

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Disclosure of the other remedies available to a plaintiff should be required prior to awarding of damages in a case against another defendant so the judge and/or jury may have the best information when assessing the amount of damages that should be awarded against the defendant.



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: RICH AUBUCHON		PHONE NUMBER: 573-616-1845	
REPRESENTING: MISSOURI CIVIL JUSTICE REFORM COALITION; AMERICAN PROPERTY CASUALTY INSURANCE ASSOCIATION		TITLE:	
ADDRESS: 121 MADISON STREET			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/23/2021 12:00 AM	
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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: TOM CRAWFORD		PHONE NUMBER: 573.634.3388	
REPRESENTING: MISSOURI TRUCKING ASSOCIATION		TITLE: PRESIDENT/CEO	
ADDRESS: 102 E HIGH ST			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL: tom@motrucking.org	ATTENDANCE: Written		SUBMIT DATE: 2/18/2021 9:28 AM
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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: TOM ROBBINS		PHONE NUMBER: 573-645-5912	
REPRESENTING: MISSOURI INSURANCE COALITION		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE:		SUBMIT DATE: 2/23/2021 12:00 AM
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: ARNIE "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCATE		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: ArnieDienoff@Yahoo.Com		ATTENDANCE: Written	SUBMIT DATE: 2/18/2021 2:19 AM

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I am Opposed to this Bill. This Bill provides to many hoops and steps. This slows the process and heavily favors, Corporations, businesses and Attorneys.



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: CORY HOGAN		PHONE NUMBER: 636-368-1704	
BUSINESS/ORGANIZATION NAME: MISSOURI STATE COUNCIL OF FIRE FIGHTERS		TITLE: LEGISLATIVE ADVISOR	
ADDRESS: 7 NORMANDY DR			
CITY: LAKE SAINT LOUIS		STATE: MO	ZIP: 63367
EMAIL: chogan8700@hotmail.com	ATTENDANCE: Written	SUBMIT DATE: 2/23/2021 7:58 AM	

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Committee Members: For reasons listed below, the Missouri State Council of Fire Fighters are respectfully submitting testimony in opposition to HB363. The job of Fire Fighter is inherently dangerous. Most fire fighters understand this when they make the commitment to serve their community. However, there are many risks that are unknown or unseen and some that are unavoidable; cancer being the largest. Exposure to the cancer-causing byproducts/chemicals of combustion is unavoidable, and our members are contracting cancer at rates that far exceed the rest of the population. When we enter a structure fire, we are aware of the risk; dangers of collapse, smoke and flames, flashover, etc. Cancer cannot be seen, our gear doesn't protect against it, and we were not aware of these hidden risks when we became fire fighters. Once the fire is out and the people are safe, Fire Fighters conduct salvage and overhaul operations to ensure the fire hasn't extended into the walls or ceilings, and to confirm the cause of the fire. The products of combustion (Arsenic, Benzene, CO, Formaldehyde, Glutaraldehyde, Hydrogen Cyanide, Hydrogen Chloride, Mercury, Nitrogen Dioxide) continue to off-gas and the products of construction (Asbestos) remain a real hazard in these operations. These toxic chemicals also have a devastating effect on Fire Fighter's respiratory, cardiac, and neurological systems. Without legal protections against Asbestos causing cancer in the State of Missouri, our members deserve access to every legal remedy available to make themselves whole from these invisible hazards of the job. It is for these reasons the MSCFF are opposing this legislation. Respectfully, Cory Hogan, Legislative Affairs Advisor Missouri State Council of Fire Fighters



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: JACOB HUMMEL		PHONE NUMBER: 573-634-2115	
BUSINESS/ORGANIZATION NAME: MISSOURI AFL-CIO		TITLE: PRESIDENT	
ADDRESS: 131 E. HIGH STREET SUITE 100			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL: jakehummel@moaflcio.org	ATTENDANCE: Written	SUBMIT DATE: 2/22/2021 9:07 AM	

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Missouri HouseSpecial Committee on Litigation Reform Chair Representative DeGrootHonorable Representatives of the Committee,The Missouri AFL-CIO, the voice for working Missourians, respectfully opposes House Bill 363. The story of asbestos is one of the most shameful in the annals of the American workplace. Long after manufacturers, their insurance companies and the federal government knew asbestos was a deadly poison, millions of workers were exposed to asbestos. As a result, hundreds of thousands of workers have or will develop serious disease, which in many cases is fatal.HB 363 seeks to delay the implementation of justice by forcing victims to overcome additional hurdles, and thus delay living plaintiffs trial date. It also changes the rules of evidence, which could lead to admission of evidence despite its complete lack of probative value. Evidence without probative value, by definition, does not contribute to the just adjudication of a dispute; and therefore can only be meant to intimidate, embarrass, harass or delay. Justice delayed is just denied. Too many workers will never receive the justice they are due, we cannot allow justice to be delayed, and denied, to any more. The Missouri AFL-CIO respectfully urges a "No" vote on House Bill 363.Jacob HummelPresident Missouri AFL-CIO



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: MICHAEL BROCKLAND		PHONE NUMBER: 314-480-5180	
BUSINESS/ORGANIZATION NAME: MISSOURI ASSOCIATION OF TRIAL ATTORNEYS		TITLE:	
ADDRESS: 701 MARKET STREET			
CITY: ST. LOUIS		STATE: MO	ZIP: 63101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/23/2021 12:00 AM	
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