

HEANEY LAW FIRM, LLC

(952) 933-9655 OFFICE
(952) 487-0189 FACSIMILE

1050 CARLSON CENTER
601 CARLSON PARKWAY
MINNETONKA, MINNESOTA 55305

WWW.HEANEYLAW.COM
MARK@HEANEYLAW.COM

MARK L. HEANEY, ATTORNEY AT LAW

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VIA EMAIL ONLY
anna.borgerding@house.mn.gov

The Honorable Jamie Becker-Finn
Chair, Judiciary Finance and Civil Law Committee
Minnesota House of Representatives
559 State Office Building
Saint Paul, MN 55155

Subject: H.F. 1459 by Representative Mike Freiberg

Dear Chair Becker-Finn:

I write in strong support of H.F. 1459. For the last two decades, the Minnesota Supreme Court's decision in *Ly v. Nystrom*, 615 N.W.2d 302 (Minn. 2000), has been an insurmountable roadblock for individual consumers and family farmers to bring civil actions and recover damages when they are victims of consumer fraud. H.F. 1459 will restore and reaffirm the consumer protection purpose and enforceability of Minnesota's statutory fraud laws through the private attorney general statute.

Key among Minnesota's statutory fraud laws is the Consumer Fraud Act (CFA), Minn. Stat. § 325F.68-70, which prohibits the use of fraud, misrepresentation, or deceptive practices in connection with the sale of any merchandise. Before *Ly*, the CFA was enforceable through the private attorney general statute, §8.31, Subd. 3a, which allows a consumer injured by a violation - and who might not otherwise have the financial resources for a lawsuit - to bring a civil action and recover damages, including costs of investigation and reasonable attorney's fees. The private AG statute and CFA provided disadvantaged consumers access to the Courts, incentivized attorneys to represent consumers and deterred businesses from engaging in consumer fraud. H.F. 1459 will restore these statutory protections and make clear that the enforcement of Minnesota's statutory fraud laws is a benefit to the public.

Sincerely,

HEANEY LAW FIRM, LLC



Mark L. Heaney