



## Auto Body Association of Connecticut

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“Pulling together for a better future”

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October 28, 2010

The Honorable M. Jodi Rell  
Office of the Governor  
State Capitol, 210 Capitol Avenue  
Hartford, Connecticut 06106

Dear Governor Rell:

The Auto Body Association of Connecticut (ABAC) was recently made aware of the collaborative endeavor to oust Insurance Commissioner Thomas Sullivan. The calls for ouster appear principally based on Commissioner Sullivan's refusal to protect Connecticut consumers in the health care context by rubber stamping insurer requests for excessive and unreasonable rate increases.

The ABAC hereby joins Citizens for Economic Opportunity, the American Federation of State, County and Municipal Employees, the Service Employees International Union, AFL-CIO, the United Auto Workers and MoveOn.org in calling for Commissioner Sullivan's removal as Insurance Commissioner. We support Commissioner Sullivan's removal because he has refused to enforce insurance laws (including Insurance Regulations § 38a-790-8) and has otherwise failed to appropriately scrutinize or investigate insurer misconduct in the settling of collision repair claims. Commissioner Sullivan has gone out of his way to insulate insurers from meaningful oversight and legal enforcement. In both markets, Commissioner Sullivan is protecting insurers at the direct expense of small business owners and consumer safety and welfare.

On countless occasions since Commissioner Sullivan took office in 2007, our Association has attempted to petition the Department of Insurance to help protect consumers. Time and time again, the Department and Commissioner Sullivan turned a blind eye to insurer misconduct; instead choosing to protect insurers at the expense of consumer rights and safety. Each and every request for oversight and legal enforcement were ignored or disregarded, including those coming directly from Attorney General Blumenthal. What is worse, the tone of the Department's responses often stung of sarcasm and apathy.

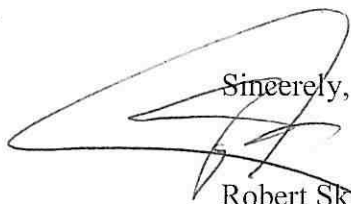
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The Insurance Department's refusal to hold insurers responsible under Commissioner Sullivan's reign forced collision repairers to take matters into their own hands through class action lawsuits, consumer outreach programs, small claims lawsuits and pleas for legislative reform. In other words, we were forced to do the Commissioner's job.

In August 2007, for example, Attorney General Blumenthal wrote to Commissioner Sullivan indicating that he had "irrefutable evidence of improper and illegal insurer conduct" and requesting that Commissioner Sullivan "authorize legal action." In response to the same, Commissioner Sullivan refused to authorize legal action or even cooperate with an investigation. Commissioner Sullivan chose to protect his friends in the insurance industry at the expense of consumer safety. Similarly, after years of inaction by the Insurance Department, class action lawsuits were filed against The Hartford and Progressive. The Hartford suit went to trial in November 2009, and the jury returned a verdict of \$14.7 million dollars. The Progressive case has yet to be tried. These lawsuits would be unnecessary if Commissioner Sullivan simply did his job.

Instead of working to protect consumers and enforce the insurance laws in the casualty insurance context, Commission Sullivan has instead chosen to protect insurers from genuine scrutiny and oversight. This is analogous to the accusations against Commissioner Sullivan in the health insurance context. Commissioner Sullivan is not fulfilling his duties; he is not acting in the best interest of this State or its citizens. For these reasons, the ABAC respectfully joins in the calls for Commissioner Sullivan's immediate removal.

Sincerely,



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c: Thomas Foley  
Daniel Malloy  
Citizens for Economic Opportunity  
American Federation of State, County and Municipal Employees  
Service Employees International Union  
AFL-CIO  
United Auto Workers  
MoveOn.org