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CALIFORNIANS CAN SAY GOODBYE TO A PORTION OF PROPOSITION 103

The Los Angeles Daily Journal published an article by Brian Kabateck and Lina Melidonian on how the decision of *MacKay v. Superior Court* may impact portions of Proposition 103, the California law that prohibits insurance companies from overcharging insureds, among other things. In the decision, the court ruled that consumers cannot bring unfair competition claims against insurers to challenge eligibility for discounts, or for rates, fees or insurability. Those things, the court said, can only be challenged administratively.

"Although *MacKay* may now resolve any existing confusion in declaring that approved rates and rating factors cannot be civilly challenged, it unfortunately does so at a significant price to California consumers," Kabateck and Melidonian wrote.