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*TESTIMONY OF
ATTORNEY GENERAL RICHARD BLUMENTHAL
BEFORE THE JUDICIARY COMMITTEE
MARCH 24, 2010*

I appreciate the opportunity to support Senate Bill 483, An Act Concerning the Posting of a Bond by the State in Prejudgment Remedy Applications and Appeals.

This legislation would exempt the state from posting a surety bond when seeking a prejudgment remedy. Currently, while the law is silent on its application to the state, several courts have required the state to post a surety bond, costing the state upwards of \$10,000. In addition, the surety demands that the state provide it with cash in the amount of the surety bond. So a \$500,000 surety bond costs the state \$10,000 and requires the issuance of a check in the amount of \$500,000 to the surety. Yet, the need for a surety bond -- to assure the defendant of adequate resources on which to base a claim -- is not applicable to the state.

Further, existing law exempts the state from having to post a bond when seeking a preliminary injunction. Senate Bill 483 will make the bond requirements in prejudgment remedy cases consistent with this existing provision.

I urge the committee's favorable consideration of Senate Bill 483.