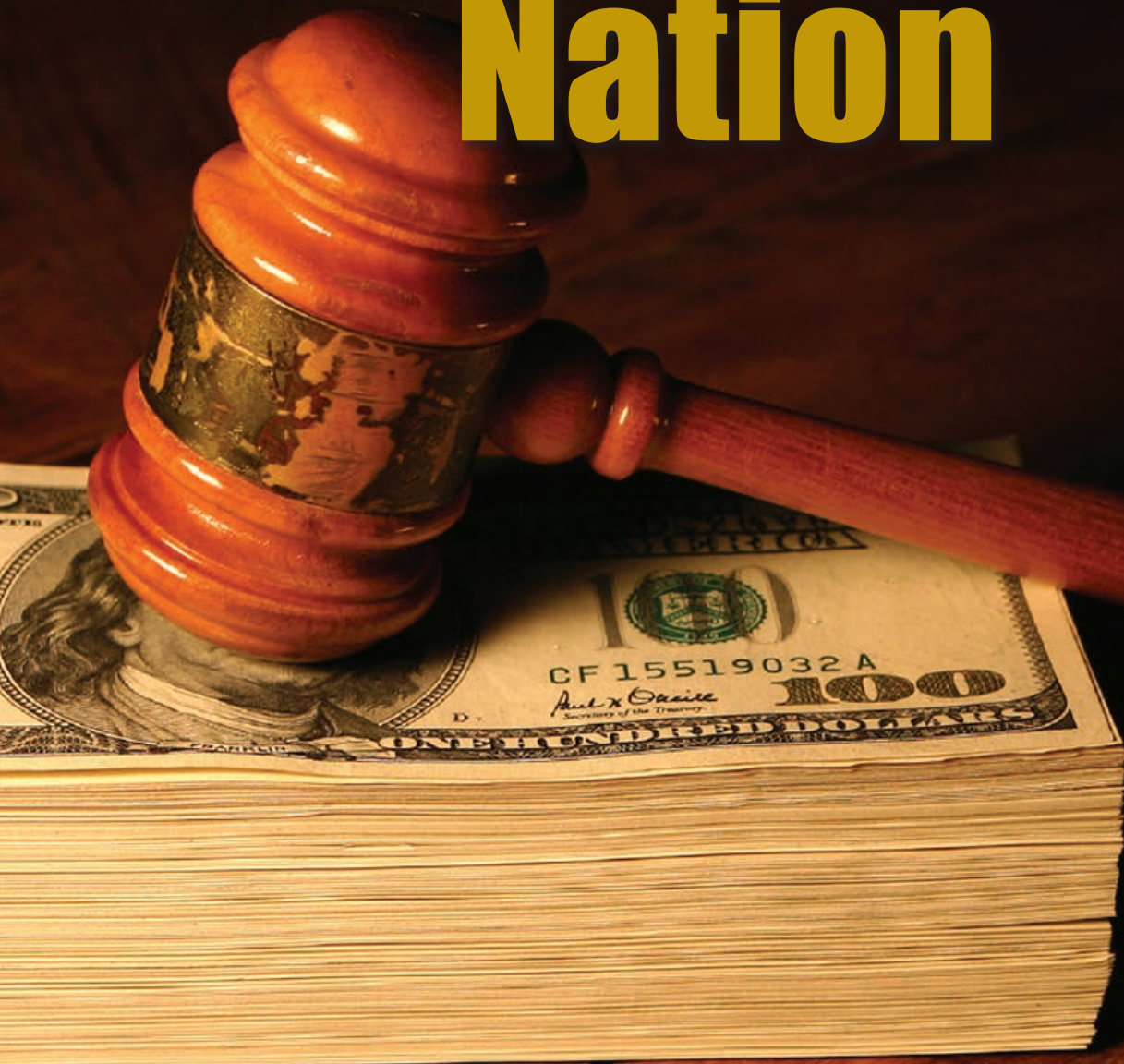


Just When You Thought You Had Heard It All...

# Lawsuit Nation

## Exploring America's Broken Legal System

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In 2009, Mrs. Meryl Grazinski of Oklahoma City, Oklahoma, purchased a new 32-foot Winnebago motorhome. On her first vacation, driving on the freeway, she set the cruise control at 70 MPH and calmly left the driver's seat to go to the back of the Winnebago to make herself a sandwich. Not surprisingly, the motorhome left the freeway, crashed and overturned.

Mrs. Grazinski sued Winnebago for not

writing in the owner's manual that she couldn't actually leave the driver's seat while the cruise control was set. An Oklahoma jury awarded her \$1,750,000—plus a new motorhome. Winnebago actually changed their manuals as a result of this suit.

The above would be an incredible story if not for one fact: It never happened.

The "Winnebago cruise control" story is an example of an urban legend. It has been

told and retold so many times that a high percentage of people actually believe it. Its roots go back to the late 1970s when cruise control first became available for RVs. Various characters have featured as the hapless driver over the years, until around five years ago, when Mrs. Grazinski took center stage (some earlier versions have Mr. Merv Grazinski at the helm of the vehicle).

Other urban legends about lawsuits that gained publicity at one time or another include:

- A Texas woman was awarded \$780,000 by a jury after breaking her ankle tripping over a toddler who was running around inside a furniture store. The store owners couldn't figure out why they were respon-

These and countless other urban legends, though patently false, illustrate a profound truth about American culture: the frivolity of Americans and their litigious society. Indeed, to much of the world, America is a lawsuit nation. Let us explore a few of the outrageous examples of lawsuits that have earned the "Land of the Free" the reputation as the "Land of Litigation."

## \$10 Dry Cleaning Bill Turns into a \$67 Million Lawsuit

In 1992, the Chung family immigrated to the United States from South Korea, hoping to live the American dream. By the year

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sible, when the little squirt she tripped over was her own son!

- 19-year-old Carl Truman of Los Angeles won \$74,000 plus medical expenses when his neighbor ran over his hand with a Honda Accord. The neighbor hadn't noticed Truman trying to steal his hubcap when he began driving away.
- A Philadelphia restaurant was ordered to pay Amber Carson of Lancaster, Pennsylvania, \$113,500 after she slipped on a spilled soft drink and broke her lower back. The floor was wet because Ms. Carson had thrown her soda at a friend during an argument two minutes before.

2000, they had saved enough money through hard work to open up their own dry cleaning store, Custom Cleaners, in Washington DC.

On Tuesday, May 3, 2005, an attorney and local judge named Roy L. Pearson dropped off an expensive pair of custom-made pants to be altered. He requested that the alterations be completed by Thursday.

When he returned for the pants, Pearson was miffed upon learning that the pants were not yet ready. A mistake had been made and the pants were routed to the Chungs' other store. They told him to return after the weekend.

When he returned for his pants, Pearson was already fuming. Then, when he examined the pants, he literally had a meltdown.

He angrily proclaimed that these pants were *not* the same as the ones he had dropped off. The Chungs must have lost his pants and switched them for a lookalike!

The Chungs tried to point out that the job number on the pants matched the one on his receipt, and that the pants were the same color, with the same measurements. They even had the same unique groupings of three belt loops in a row on either side. But Pearson would have none of it. He demanded \$1,000 in compensation for the alleged missing pants.

The Chungs refused.

In response, Pearson filed a lawsuit with the District of Columbia Superior Court. In it, he alleged that the Chungs lost his pants and surreptitiously tried to switch them with a similar pair that did not belong to him. He further claimed that the signs posted in the dry cleaning store reading "Satisfaction Guaranteed" and "Same Day Service" constituted fraud, and the deception caused him emotional distress.

The Chungs made three separate settlement offers: first for \$3,000, then for \$4,600 and finally for \$12,000. Pearson, however, pressed ahead with the suit. Originally, Pearson declared he should be awarded \$67,292,000 in damages. Shortly before the case went to trial, however, he reduced it to approximately \$54 million.

Pearson's astronomical figure was based on his self-serving interpretation of Washington DC's Consumer Protection Law. He threw in damages for his emotional suffering, the inconvenience of traveling to another dry cleaner further away, replacing the pants and attorney fees... for representing himself.

Although the Chungs moved for the case to be dismissed, a judge actually ruled it should go to trial. He felt that two points of fact needed to be resolved: whether the pants actually belonged to Mr. Pearson, and whether the "Satisfaction Guaranteed" sign could be considered misleading.

The lawsuit drew a firestorm of criticism from tort reform advocates, small business owners and other concerned Americans. Major American newspapers reporting on



Roy Pearson, the former administrative law judge who sued his dry cleaner for \$54 million.



Left: Mr. Chung presents the contested pants. Right: Attorney Chris Manning speaks to reporters in front of the Chungs' store.



Mr. Jin Chung serving a customer at the counter of Custom Cleaners.

the case began to call Pearson "Judge Fancy Pants." It garnered international attention, as the world openly ridiculed America's wacky justice system. But the Chungs weren't laughing.