

Monday, June 25, 2007

Dry cleaners wins \$54 million pants suit

WASHINGTON A judge ruled today in favor of a dry cleaner who was sued for \$54 million over a missing pair of pants in a case that garnered international attention and renewed calls for litigation reform. 12:21 p.m.

VIDEO

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The owners of Custom Cleaners did not violate the city's consumer protection act by failing to live up to Roy L. Pearson's expectations of the "Satisfaction Guaranteed" sign that was once placed in the store window, D.C. Superior Judge Judith Bartnoff ruled.

Judge Bartnoff ordered Mr. Pearson to pay the court costs of defendants Soo Chung, Jin Nam Chung and Ki Y. Chung. The costs were slightly more than \$1,000 and include photocopying, filing and similar expenses, said the Chungs' attorney. A motion to recover the Chungs' tens of thousands of dollars in attorney fees will be considered later.

Mr. Pearson, an administrative law judge, originally sought \$67 million from the Chungs after he claimed they lost a pair of trousers from a blue and maroon suit, then later tried to return a pair a pair of charcoal gray pants that he said were not his. He arrived at the amount by adding up years of law violations and almost \$2 million in common law claims for fraud. Mr. Pearson later dropped demands for damages related to the pants and focused his claims on signs in the shop, which have since been removed.

In issuing her ruling Monday, the judge wrote that Mr. Pearson failed to prove that the pants the dry cleaner tried to return were not the pants he brought in for alterations.

"A reasonable consumer would not interpret 'Satisfaction Guaranteed' to mean that a merchant is required to satisfy a customer's unreasonable demands or to accede to demands that the merchant has reasonable grounds to dispute," the judge wrote.

Chris Manning, the Chungs' attorney, praised the ruling.

"Judge Bartnoff has spoken loudly in suggesting that, while consumers should be protected, abusive lawsuits like this will not be tolerated," Mr.

Manning said in a statement. "Judge Bartnoff has chosen commonsense and reasonableness over irrationality and unbridled venom."

Mr. Pearson did not immediately respond to a telephone call and an e-mail seeking comment.

The two-day trial earlier this month drew a standing-room-only crowd, including many Korean and international media outlets covering the story.

The Chungs also said the trial had taken an enormous financial and emotional toll on them and exposed them to widespread ridicule.