

Judge Tries Suing Pants Off Dry Cleaners



Andrew Council for The New York Times

A Washington judge sued his dry cleaners, seeking \$67.3 million.

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WASHINGTON, June 12 — Roy L. Pearson Jr. wanted to dress sharply for his new job as an administrative law judge here. So when his neighborhood dry cleaner misplaced a pair of expensive pants he had planned to wear his first week on the bench, Judge Pearson was annoyed.



Jacquelyn Martin/Associated Press
The shop's owners are Jin and Soo Chung, Korean immigrants.

So annoyed that he sued — for \$67.3 million.

The case of the judge's pants, which opened for trial in a packed courtroom here on Tuesday, has been lampooned on talk radio and in the blogosphere as an example of American legal excess. And it has spurred complaints to the District of Columbia Bar and city officials from national tort reform and trial lawyer groups worried about its effect on public trust in the legal system.

"I don't know of any other cases that have been quite this ridiculous," said Paul Rothstein, a professor of law at [Georgetown University](#).

The trial, laced with references to inseam measurements, cuffs and designer labels, got off to a rocky start. Judge Judith Bartnoff of District of Columbia Superior Court limited Judge Pearson's last-minute bid to broaden aspects of his case and cut short his efforts to portray himself as a "private attorney general" championing the rights of every Washington consumer.

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"You are not a we, you are an I," Judge Bartnoff said in one of several testy exchanges with Judge Pearson, 57, who is representing himself. "You are seeking damages on your own behalf, and that is all."

Later, while recounting the day he says the cleaners tried to pass off a cheaper pair of pants as his, Judge Pearson began to cry, asking for a break and dabbing tears as he left the courtroom.

The lawsuit dates back to spring 2005. Mr. Pearson, a longtime legal aid lawyer, was appointed to a new job as a District of Columbia administrative law judge.

Judge Pearson says in court papers that he owned exactly five suits, all Hickey Freemans, one for each day of the workweek. But the waistlines had grown "uncomfortably tight." So he took the suits to Custom Dry Cleaners, in a strip mall in gritty northeast Washington, for alterations.

When the owners, Korean immigrants who came to America in 1992, could not find one pair of pants, Judge Pearson demanded \$1,150 for a replacement suit. The owners did not respond; he sued.

Using a complicated formula, Judge Pearson argues that under the city's consumer protection law, the owners, Soo and Jin Chung and their son, Ki Chung, each owe \$18,000 for each day over a nearly four-year period in which signs at their store promised "Same Day Service" and "Satisfaction Guaranteed." In opening statements, Judge Pearson cast himself as a victim of a fraud on a historic scale, perpetrated by malicious business owners who had no intention of delivering on those promises.

"You will search the D.C. archives in vain for a case of more egregious or willful conduct," he told the court. He called a series of witnesses who complained of rude or unresponsive treatment at Custom Dry Cleaners.

The defendants' lawyer, Christopher Manning, told the judge that his clients were the victims. He characterized Judge Pearson as a man embittered by financial woes and a recent divorce, who had nursed a grudge against the Chungs since a spat over a different pair of pants in 2002.

"The plaintiff has decided to use his intimate knowledge of the District of Columbia laws and legal systems to exploit non-English-speaking immigrants who work in excess of 70 hours per week to live the American dream," Mr. Manning says in court papers.

Mr. Manning said there was no mystery about the whereabouts of the pants: They have been hanging in his office closet for a year. Judge Pearson, however, has said those are "cheap" knockoffs the Chungs had substituted for his pinstriped Hickey Freemans.

He has rejected three settlement offers, the latest, in March, for \$12,000. Last week, Judge Pearson revised a few claims and lowered his damages request to \$54 million.

Judge Pearson's future as an administrative law judge is in limbo. His two-year term expired on May 2, and a judicial panel has yet to decide on his reappointment.

In the meantime, Judge Pearson remains on the city payroll as an attorney adviser to the Office of Administrative Hearings, at a salary of \$100,512.

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