

Monday, June 25, 2007

Pain in the pants plaintiff loses. Justice is served, but late.

Image from public domain. Â Three cheers for today's victory of the Washington, DC, family-owned dry cleaner over the administrative law judge who pursued aÂ frivolous pro se multimillion dollarÂ lawsuit for his allegedly missing pair of pants. Click the following hyperlinks to find the Superior Court's detailed opinionÂ and accompanying order, as well as today's Washington Post article.Â Now left to be seen is whether (1) plaintiff Roy Pearson will have his expired high-paying judging job renewed and (2) the dry cleaner will prevail in its pending efforts to obtain monetary sanctions and attorney's fees against Mr. Pearson. Â Congratulations to the dry cleaner and its lawyers. Jon Katz.Â ADDENDUM I: Click here if you wish to donate to the dry cleaner's legal defense fund. If the dry cleaner's lawyers bill anything close to what their previous large corporate law firms billed hourly, the dry cleaners must have a hefty legal bill. Â ADDENDUM II: While trying to google about the state of pants-gate plaintiff Roy Pearson's bid to continue as a D.C. administrative law judge, I came across this blog entry strongly supporting plaintiff Pearson. Consider the source of such a blogview;Â just last week the same blogger decided that if the dry cleaner's owners were not ethnic minorities, they would have given Mr. Pearson better service. At first I was reluctant to dignify such views by linking to them; however, if anybody holds such reprehensible views, perhaps it is better to shine the light of day on such views.Â ADDENDUM III: According to the Examiner, plaintiff Pearson's boss did an about-face and recommended that Pearson not be returned to anotherÂ administrative law judge term. The position pays well, at over \$100,000 annually. As I blogged earlier this month, even with my First Amendment zealotry, I have difficulty seeing how the First Amendment precludes the D.C. government from considering this lawsuit as to his ALJ renewal bid, because the lawsuit directly relates to Mr. Pearson's ability as an ALJ to exercise sound judicial temperament, discretion and fairness over decisions impacting litigants. ALJ work is no mere ministerial task, but instead requires careful, wise, and just adjudication. Mr. Pearson's lawsuit and reported testimony and demeanor at his pants trial demonstrate that he is not fit to be an ALJ, and that any litigant appearing before him (should his ALJ position be renewed) should move for his recusal.Â

Posted by Jon Katz in Jon's news & views at 13:20