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Subject: Re: itunes sued

Posted by [Wayne Parham](#) on Wed, 12 Jan 2005 10:41:14 GMT

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Yeah, I remember hearing that British law was that way. In a way, it's somewhat like that now because lawsuits really are cost prohibitive for most people. Some plaintiffs cases are obvious winners, and these are easy to get representation for. An attorney hopes to get a percentage of the settlement or judgement, so they'll take the case on contingency. But the vast majority of cases aren't so clear cut and require the plaintiff to spend a pretty healthy chunk of change just to get the ball rolling. There are retainers and ongoing invoices from the attorney, filing fees, exhibit costs, deposition costs, etc. A case doesn't really get started for less than a few thousand bucks. So since 1/2 of all Americans earn less than \$30,000 per year, most people really can't afford to litigate even if they think they are in the right. I've come to believe that you can't legislate or litigate morality. But you can enforce the law as a deterrent, so you can sometimes make things safer by the use of products liability and legal liability as a deterrent. I suppose it's probably better that the system is in place. But I'd sure like to see some of the really frivolous lawsuits be squelched, and some of the truly disadvantaged people that have legitimate complaints be helped to represent themselves in court. I sometimes wonder how much better off we really are than in the 1850's with the six guns in the wild west.

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