
Subject: itunes sued

Posted by [Manualblock](#) on Tue, 11 Jan 2005 23:49:29 GMT

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Some guy is suing Apple because his Ipod crashed and ate all his songs. Lets see 2000 songs at .99c a piece? 99c for a crappy rolled off, compressed MP3 song?? what a world. Thats why I love Lawyers they keep all the shysters honest.

Subject: Re: itunes sued

Posted by [Wayne Parham](#) on Wed, 12 Jan 2005 00:23:47 GMT

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Makes you wonder why there isn't a cost for frivolous lawsuits. If a guy knows he risks getting nailed for a big fee, he'll think twice about going into the courtroom for something like that. Lose the case, pay opposing counsel.

Subject: Re: itunes sued

Posted by [Manualblock](#) on Wed, 12 Jan 2005 02:17:09 GMT

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Thats what they do over the other side of the pond. The problem with that of course lies in political influence. What you see in environmental suits where the threat of counter suit chills the exercise of legal rights for the poor. A frivolous suit penalty means you are held hostage to the interpretation of the suit by the prevailing political power holding the judgeship. Our system works the best in the world at giving the little guy his fair shot. As a process server I see many favors dished out; so believe me this stuff does go on. Sorry to jump on the soapbox but I just can't shake that sympathy for the underdog. My wife is an NP and my brother is a cardiologist. What goes on in hospitals if you knew would chill your bones. The only thing keeping them slightly honest is the threat of lawsuits.

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.

Subject: Re: itunes sued

Posted by [Manualblock](#) on Wed, 12 Jan 2005 12:37:53 GMT

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Ha! Unfortunately most of those six guns malfunctioned and killed the shooter; not to mention the complete lack of accuracy beyond 50 feet. That's why Doc Holliday carried a shotgun. Maybe that's why they called it the wild west. Most of those shots went wild and killed some innocent bystander. There is an article in today's paper; two guys were cuffed and booked at the courthouse. They were making disparaging remarks about lawyers in the form of jokes (You know; how do you tell if a lawyer is lying? If his mouth is moving.) so they arrested them for disorderly conduct.

Subject: Re: itunes sued

Posted by [Wayne Parham](#) on Wed, 12 Jan 2005 15:34:39 GMT

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You're exactly right about handguns and shotguns. On the other, I wonder who can hold the judge in contempt? I mean aren't they usually?
