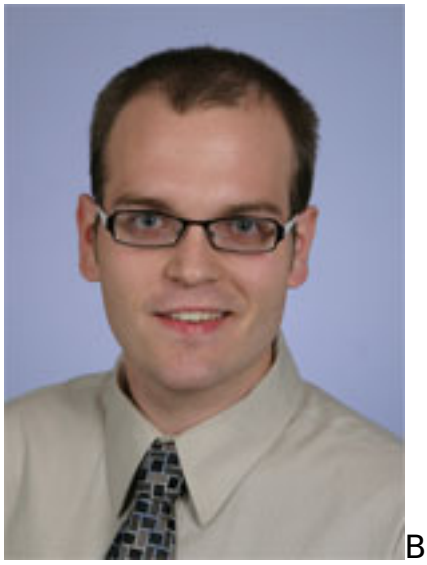
I'm Suing You, And You, And You

 By JOEL HANS, Associate Editor, IMPO

We've all heard enough talk about Toyota's recalls and quality control troubles of late, and I'll do my best to not repeat what's already been said about the company. Frankly, I've grown tired of it, and I'm sure some of you have as well.

That said, I heard last week that a Cincinnati couple is starting up a civil class action lawsuit against Toyota [1] for fraud and negligence. You see, Hugh and Pamela Cox own a Toyota, and they're suing "due to the danger of serious injury and death that can result from sudden acceleration from unknown causes." Their exploitation of this issue has me incensed, at best. Why the anger? Because the couple hasn't experienced any issue with their particular vehicle—they're suing because they're *afraid*. Afraid of an extremely unlikely situation, one for which Toyota has already been held accountable.

This lawsuit smells of nothing less than reckless and damaging ambulance chasing. As far as I'm concerned, one can't sue a company over one's fears, regardless of how "neglectful" a company might be—but if I'm wrong, I'd like to be corrected (with citation, please). If the Coxes had gotten in an accident in their Toyota, this column would be a moot point, but they haven't, which leaves only one conclusion: they filed a class action suit with the hope that people *who actually have been hurt* will jump on the bandwagon of this frivolous lawsuit, giving it a sense of pseudo-credibility.

In the spirit of the Coxes, I consulted with my lawyer (thanks, Dad!), and I'd like to announce a new series of class action lawsuits that I'll be pursuing in 2010. First off, I'm suing whoever invented spiders, centipedes, and earwigs, because I'm terribly afraid of them. Don't remind me of that time I was in Hawaii (I know, *poor me*) and found a 4-inch cane spider on my suitcase right before going to bed—I went accelerating off the other direction quite quickly, and I could have gotten very hurt.

If that's not negligence, I don't know what is.

Secondly, I'd like to sue Acura, the maker of my 1995 Integra. I used to love the thing, as old and partially-rusted as it is. It was a great car, really, even after 16 years in service. Heck, the manual transmission survived *me*—that's an accomplishment in itself. But after consulting my attorney, I'm terribly afraid of driving it. The suspension squeaks… somewhere, and the rust around the wheel wells is probably working its way through the frame as we speak. Since I've never tested it, I'm also afraid the air bag won't work in my time of need, which is terrifying. All these things add up to nothing less than fraud, I'd wager.

Finally, I'm bringing up a suit against the manufacturer of any and every food that I will eat in, say, the next three months. That's General Mills, Kraft (plus countless more), and even the local farmers that I try to support. Why? Why *not*? There's a plethora of bacteria out there, like salmonella and E.coli, that these food manufacturers might have in their food. It's like I'm paying them to get food poisoning!

All right—enough joking. The lawsuit against Toyota brings up an interesting question: to what extent can manufacturers be held accountable for a consumer's perception of their product?

The ongoing investigation of Toyota over this issue is… malleable at best. I'm not going to pass judgment on Toyota's accused negligence (and neither should you) until more evidence is available. Otherwise, we're opening a Pandora's box here. If the Coxes had been in an accident, or gotten hurt because of their Toyota, I would have written a different column. But the questions remain: Should the conveyor manufacturers out there be sued because a worker at another plant is afraid he might lose a finger using one? Can someone suffering from automatonophobia [2] sue a manufacturer of industrial robots? Can I sue because my car got a little rusted?

What do you think? Is the Toyota lawsuit fair, or are the plaintiffs doing their part to unleash an awful onslaught of frivolous lawsuits against manufacturers in the hope of catching a quick buck? Send me your thoughts at—

Hold on a second—I'm getting a call from my dad/attorney. *Really? Nice work, Dad!* Ahem. Last, but not least, I'd like to announce my class action suit against Mr. and Mrs. Cox, along with their attorney, for being negligently idiotic. Who's with me?

Send me your support at Joel.Hans@advantagemedia.com *[3].*

Source URL (retrieved on *12/20/2013 - 12:36am*):
http://www.chem.info/blogs/2010/02/im-suing-you-and-you-and-you

Links:
[1] http://www.impomag.com/scripts/ShowPR~RID~13088.asp

[2] http://www.anxietyinsights.info/phobias_az_automatonophobia.htm
[3] mailto:Joel.Hans@advantagemedia.com