

The lighter side of how
“real life”
becomes “real litigation”

HOW TO GET SUED



AN INSTRUCTIONAL GUIDE

J. CRAIG WILLIAMS

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Foreword

Ambrose Bierce, a favorite of lawyers because his distaste for them was no greater than his distaste for everyone else, described litigation as “a machine which you go into as a pig and come out of as a sausage.” Although this rather neatly describes the prevailing view of the litigation process—and the lawyers who operate it—the fact remains that just as there are many people who love eating sausage (so long as they don’t have to watch it being made) there are many people who find the litigation process hugely entertaining (so long as *all* they have to do is watch it being done).

This book is for those people. And you are probably one of them.

There’s a certain *schadenfreude* aspect to reading the cases J. Craig Williams has collected. But it’s not just the misfortune of others that is chronicled here, but also their very human weaknesses and foibles—and their hysterical efforts to overcome them once they get trapped inside the litigation machine. Just as it’s difficult to avert your eyes from a train wreck, it’s very difficult to put down a book that repeatedly illustrates not only how easily one can be swept into the sausage factory, but how hilariously difficult and Byzantine things can become once there.

Craig has compiled for us a “greatest hits” collection of such stories. Just consider the case of Hope Clarke. One lone marshmallow treat, a tiny bit of sugar at a campsite to make s’mores in

Yosemite, and suddenly, there's criminal charges to consider as she steps off a cruise liner in Florida. She allegedly had not paid the ticket issued by the Park Ranger for leaving the fixin's for the bears. You can almost hear pages from law books fluttering to the ground as eager lawyers search out confectionary precedents to cite to the bench.

Others, of course, aren't nearly as innocent as we must presume Ms. Clarke to be. Take Otis Cecil Wilkins from North Carolina who used a homemade bomb in an attempt to scare his former girlfriend from his property, but instead started himself on fire when an ash from his cigarette lit the fuse a bit too early. When questioned about making the threat, he passed off the presence of the bomb as a means of blowing up a beaver dam on his property, which apparently survived the attempt. The guffaws at the local constabulary echo from Craig's book.

Craig has toiled in the sausage factory for more than two decades. He knows it well. And he's gathered here some of its tastiest morsels as well as some of its most terrible offal. These are the kinds of cases that make judges wonder if they couldn't make a perfectly good living writing poetry or herding sheep.

Craig has provided you with an insider's guide to the American system of dispute resolution—a system admired and marveled at all over the world—and he's done it with some of the most outrageously funny tour guides you could imagine. Here you'll find the heights of human folly and the depths to which our noble intellect can sink. Here you'll find what happens to people who don't think carefully and what happens to people who think too much.

Whether you're contemplating entering the sausage factory or just thanking your lucky stars you've never had to, you'll enjoy this book. Beg, borrow or steal a copy. Come to think of it, though, if you don't want to be in the next edition, you'd better just go out and buy one. You'll send me a thank you note.

—Alex Kozinski, Chief Judge, U. S. Court of Appeals,
Ninth Circuit