

## "Frivolous Lawsuits and the Truth Behind Who's Really Filing Them"

By Christopher Russell

California personal injury lawsuit filings are down 38% over the past decade (statistics compiled by the Judicial Council of the State of California). Despite that clear and accurate statistic, the propaganda by the Chamber of Commerce, the insurance industry, the tobacco industry, the pharmaceutical industry, the oil industry, etc. (almost every multi-national industry) and phony "grass roots" organizations such as "Citizens Against Lawsuit Abuse", continue to argue that our court system is full of "frivolous lawsuits" filed by your average consumer.

The reason for this propaganda is simple: if they continue to spread the lie long enough and loud enough, the public and lawmakers who fashion our liability laws will be either agreeable to pass legislation on behalf of all of the industries mentioned with liability caps or other tort reform measures, or when members of the public sit in a jury box, they will be dissuaded from awarding accurate and fair damages to the victims of the actions of those industries which harm consumers.

The real truth of the matter is that while personal injury lawsuits in California have dropped by 38%, business vs. business lawsuits have increased by 20% over the same time frame. If you really want to sink your teeth into some frivolous lawsuits, try these on for size:

- McDonalds sued Burger King over Burger King's claims their burgers were bigger and tastier.
- [McDonald sues over "Kids Meals"](#) -McDonalds sued Burger King for offering its version of "Kids Meals."
- Pepsi, the parent of Gatorade (are there any food/drink products not owned/controlled/distributed by billion dollar multi-national companies?) sued Coke over claims that its PowerAde provided more energy than Gatorade.
- Thomas English muffins sued Hostess alleging that Hostess copied the nooks and crannies recipe of the muffin maker.
- ["Cat Fight"](#) - Kellogg's sued Exxon over a tiger in their ad saying the Exxon tiger looked too much like Kellogg's Tony the Tiger.
- Frito Lay filed a multi-million dollar lawsuit against a chip company for making "bowl shaped" chips that looked too much like their Tostitos branded chips. [Who won the lawsuit?](#)

And the list goes on and on. Of course, none of the above instances involving frivolous lawsuits ever hit the public's eye because consumer groups have no funds to publicize the truth behind who is actually wasting judicial resources. In the meantime, literally hundreds of millions of dollars continue to be spent every year railing against trial attorneys and the consumers they represent. It is difficult for the public and lawmakers not to be infected with the cynic virus after you hear the lies long enough and loud enough.

As an Orange County personal injury attorney, I am hoping this blog post gives everyone reading it a glimpse of what the real truth is behind the current filing of frivolous lawsuits and the reasons why the real truth is of little consequence when it comes to the profits of billion dollar multi-national corporations.