



H[FOXVYH

## Lawyer Objects To "Large Breasted Woman" In Courtroom

A lawsuit against an Illinois car dealership took a strange turn recently, when the defendant's lawyer complained about a "large breasted woman" in the courtroom.

The motion below is making the rounds of Chicago-area law listservs. It considers a suit before the First Municipal District Circuit Court of Cook County, Illinois:

### MOTION IN LIMINE

(Presence of Plaintiff's Counsel's Companion at Counsel's Table at Trial).

Now Comes your Defendant, Exotic Motors, by and through their attorneys, Gauthier & Gooch, and as for their Motion as aforesaid states to the Court as follows:

1. That Defendant's counsel is anecdotally familiar with the tactics and theatrics of Plaintiff's counsel, [redacted]. Such behavior includes having a large breasted woman sit next to him at counsel's table during the course of the trial. There is no evidence whatsoever that this woman has any legal training whatsoever, and the sole purpose of her presence at Plaintiff's Counsel's table is to draw the attention of the jury away from the relevant proceedings before this court, obviously prejudicing the Defendant's in this or any other cause. Until it is shown that this woman has any sort of legal background, she should be required to sit in the gallery with the rest of the spectators and be barred from sitting at counsel's table during the course of this trial.

When I called Gauthier & Gooch, an employee there confirmed that attorney Thomas W. Gooch III had authored the motion and dictated it to her. She could not confirm that it was formally filed — instead, she thought it might have been simply handed to the plaintiff's counsel. She also couldn't provide me with any details of the case. Exotic Motors declined to comment. However, I did reach Dmitry Feofanov, the attorney for the plaintiff. He sent me his client's initial complaint against Exotic Motors, the basics of which are the following:

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JILQV

If People Talked About *Seinfeld* Like They Talk About *Girls*



P IGZ HHN P DGQHV

This Week in Tabloids: Kim Kardashian's Famous Ass Is Now a 'Sagging, Dimply Blob'



WZ HHWEHDW

Miley Cyrus Will Shut Us Up with Her Music



IHXGV

Tina Fey Thinks Taylor Swift Should Lighten Up and Learn to Take a Joke



SDUHQWUQT

When Parenting Starts to Feel like Junior High



EIDV

If You're Biased and You Know It, Clap Your Hands (and Then Do Something About It)



DQQH KDWKZ D\

Anne Hathaway, Ourselves



GILWEDJ

Kate Middleton Having a Girl, Everyone Screams!



NDQ\ H Z HW

Kanye Doesn't Want You to See This Photo of Him in a Kilt, So He Had It Scrubbed From Getty Images



IDVKIRQ VKRZ

Valentino: What If Wednesday Addams Was a Sister Wife?



GUXJV

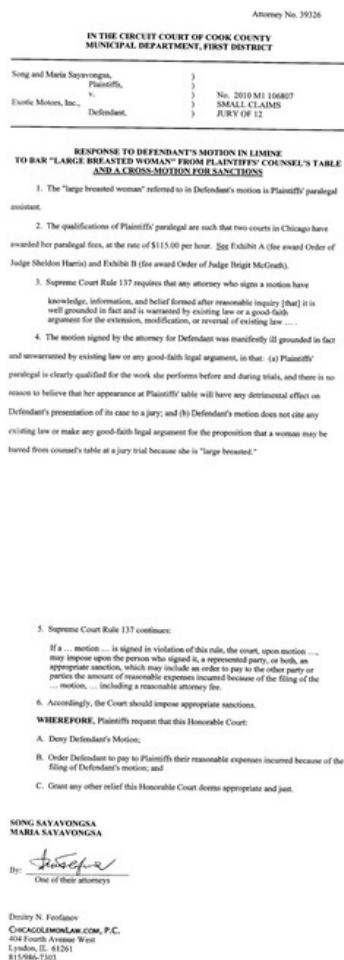
The Under-the-Influence Guide to Friendship



UDSH UDSH

Occidental Students Say the

1. On November 21, 2009, Plaintiffs bought a 2005 Cadillac CTS from Defendant Exotic Motors, for \$13,500.00, cash.
2. As part of the transaction, Defendant gave Plaintiffs an express written warranty, which stated: "Exotic Motors will fix following items. Handbrake, Moldings, Ceelings [sic], Battery."
3. The car broke almost immediately after the purchase.
4. Plaintiffs asked Defendant to repair the car under the warranty, but Defendant refused.



The plaintiffs are suing for "diminution of value of 50%, aggravation and inconvenience, loss of use, court costs, and attorney fees." And as for the "large breasted woman," Feofanov sent along his official response to the motion, which you can see at left.

The important part: Feofanov says the woman in question is his paralegal assistant, who has been paid as a paralegal by two different courts (he sent me documentation of this as well). His response also requests that the defendants' attorney reimburse the plaintiffs for fees associated with the motion, because it was without merit. He explains,

a) Plaintiffs' paralegal is clearly qualified for the work she performs before and during trials, and there is no reason to believe that her appearance at Plaintiffs' table will have any detrimental effect on Defendants' presentation of its case to a jury; and b) Defendant's motion does not cite any existing law or make any good-faith legal argument for the proposition that a woman may be barred from a counsel's table at a jury trial because she is "large breasted."

College Has a Sexual Assault Problem



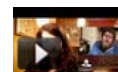
VWUHHWKDUDVVP HQW

We Need This 'Don't Tell Me to Smile' Sweatshirt



P DQIFXUHV

Your Gel Manicure Is Cute, But It Might Be Giving You Cancer



VH [LVP

What Gods Have We Angered That We *Still* Have to Deal With 'Women Be Talking' Jokes?



UDJ WUDGH

Martha Stewart Upstaged at the Courthouse by Lamar Odom



KXQJHU JDP HV

Katniss Wears a McQueen Knockoff in Her *Hunger Games* Capitol Portrait



QJEWI

Why Are So Many Men Trying to Get on This Lesbian Dating Site?



GILWEDJ

Amy Poehler Is Really Sorry If She Hurt Taylor Swift's Feelings, Admits She's Going to Hell



DGYIFH

Friendzone: Making Sexist Jokes, Sleeping With a Married Man and Feeling Suicidal



EDGYHUWVIQJ

These Vintage Pants Give Us the Creeps



DZ IXC

Kidnapped Woman Breaks Legs and Back Escaping From Rapist Captors



JD\ P DUUIDJH

Here's Ellen DeGeneres' Touching and Funny Letter to the Supreme Court in Support of Marriage Equality



JDP H R I WKURQHV

The *Game of Thrones* Face Swap for Jon Snow and Ygritte Looks Like Regular Jon Snow and Ygritte



JHQGHUDO IQWUHVWV

Israel Launches Hebrew-Language Playboy with a Promise to Tell Women what Men Really Want



VWIX IQWUHVWV

Take a Deep Breath: Online Opinions Have Little to Do With Reality

We've contacted Gauthier & Gooch again to see if they'd like to comment further on the issue, but for now, the "large breasted woman" motion seems like one of the strangest — and possibly most sexist — legal endeavors we've ever heard of.

Image via Mikael Damkier/Shutterstock.com

Contact Anna North:

HPDIQWKHDXWKRU

FRP P HQW

IDFHERRN

WZIMWJU

GIVFXVIRQV

IHDWUHG DCO

Discussion now closed.



NeonClaws

20 May 2011 5:49 PM

Sigh. Very often these legal stories tend to have way more going on below the surface. Of course, an in-depth examination of the circumstances doesn't allow for lulz and sarcastic comments.

Sounds to me like the plaintiff's attorney has a reputation for shenanigans, so much so that the defendant's attorney felt comfortable enough to mention the "theatrics" of plaintiff's counsel in his motion. If plaintiff's counsel is sitting at his table in court next to a woman of say, Dolly Parton-sized breasts, then yes, I think reasonable people would agree that that is distracting. Plaintiff's counsel claims the woman is a paralegal and that he has been awarded "paralegal's fees" on two separate occasions by two separate judges for work that she has provided in the past (and no, this is not the same thing as saying that she "has been paid as a paralegal by two different courts") but unless you are required to submit certification of paralegal training or a resume to the judge's satisfaction in order to be granted paralegal's fees as part of a judgment in Cook County, there is no evidence here that the woman is in fact a paralegal, nor that her potentially distracting presence is required at counsel's table. In fact, in my experience, it is not common for a paralegal to sit at counsel's table with the attorney and the client. The norm is for only the client and attorney to sit at counsel's table and for any non-attorneys involved in the case, such as paralegals, to sit in the gallery.

But hey, I readily admit that my take might be all wrong, and maybe defendant's counsel is just a sexist asshole. Don't let me interrupt the snarkfest with logic!



skahammer @NeonClaws

Nicely explicated, counselor.

Although I think having Dolly Parton next to me at counsel's table would have helped me in my first trial. Anything to deflect attention.



LazyHippo @NeonClaws

That might have some merit if he complained she was wearing a tank-top with "Porn Star" spelled out in rhinestones, but the only objection was their mere size. The complaint seems to be based on nothing other than the belief that large breasts are inherently sexual and prejudice anyone's right to a fair trial.



xokasia @skahammer

Ok, so one, the other or both of the lawyers involved are sexist, and justice cannot be done with big bazooms in the room. I think that's why they kept women out of courtrooms before (and universities, parliaments, etc).

I just guess I thought that anyone with a law degree was at least old enough to get the fuck over it and just do their job.