

## Saving Kevin<sup>Ω</sup>

1

It all started with the Super Bowl 41 game. Yes, I invited a few friends over for chips and drinks, and we enjoyed the game. Not much of the scoring or the game itself but more of the things surrounding the game, such as the commercials, foods, and lively conversation. Of course, I turned up the volume of the big screen TV loud, very loud, no doubt about it. The damn manager climbed up twice to deliver his complaints, one verbally and the other with a formal warning note that I trashed instantly just to demonstrate my disdain toward a jerk who did not know anything about the excitement of America's biggest game. Anyways, that was done, and I did not deny it. That's a thing of past, thought Kevin. But what came next was more surprising and more outrageous than Kevin had ever anticipated. Actually Kevin did not anticipate it at all. It was one incidence, just one night's hullabaloo of college kids, which has been traditionally, generously accepted by, well, friendly neighbors.

2

"It's outrageous!" screamed Kevin. An innocent looking envelope was hand delivered to Kevin by the manager the next day. The letter, typed on a bond paper with a letterhead, was telling Kevin to pay \$1,820.54 within a week or he could face eviction and a lawsuit. For what cause? Is this some kind of joke? April Fool's Day has just passed away. His desk calendar didn't cheer him up.

Kindly enough, a copy of the lease contract, with a red felt marker circle around a section, was attached. The section read:

**7. Utilities.** Landlord shall, free of charge to Tenant, provide the following items: gas, electricity, and trash. Tenant shall use the electricity freely provided by Landlord with care and conservation. If Tenant does not follow this electricity usage rule, Tenant may be liable for the electricity bill of the month, when such lavish use of electricity was reported to or observed by Landlord, for the whole apartment complex. An example of such lavish use of electricity includes, but not limited to, turning up TV volume so loud that the sound is heard outside.

Just below the red circle, provokingly enough, was the following hand written words: *Don't you know that you consume more power with louder volume? -Charlie.* This is the first time Kevin noticed that the manager's name was Charlie Jaykay. The name he could not brush off even after his graduation.

3

The next few days were horrible, horrendous, and haggardly to Kevin. First, there was a heated argument with the manager on the validity of the Lease Contract term, on which he had to regretfully admit his negligence of "signing after reading," and liability issues. Why am I responsible for the bills of other tenants? "The contract says so," quipped the manager. "Cut the crap," said Kevin through his teeth. And the argument did not proceed from there. The next round turned into more of a scientific debate. Why and how does a change in volume change the power consumption? You don't even know what Kirchhoff's Law is! You are fleecing me out of junk science! Kevin's bombardment was answered by the manger's snap, in quite managerial tone, "I have an expert witness, and he has a great deal of experience in civil court, under his belt."

Kevin smelled something from the word "expert witness" uttered from the manager. Is this guy thinking of filing a lawsuit or something like that? Yes, we live in a society of frivolous lawsuits, but isn't this

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crossing the line? Standing from his chair, Mr. Jaykay announced, "You have less than a week, fella. Don't further waste your money and your time." Then he showed Kevin the door.

4

It's pride. It's less than two grand. Not that I have that money. But it's pride. And it's healthy science against junk science. Most of all, who am I? I am currently an electrical and computer engineering student. I have to bring an unforgiving verdict to the scam and pseudo-science and the litigator. There will be no out of court settlement! Bring them on! Kevin was bold and defiant.

And it came just before Spring Break as if Kevin's spring semester had anything left to be ruined. The arrival of the lawsuit notice was perfectly juxtaposed with the influx of tourist to the city for the annual Cherry Blossom Festival.

5

Mr. Jaykay, with plaintiff's confidence, formed a strong team of 3 trial lawyers. Eye for an eye and tooth for a tooth, Kevin spent his fortune and hired the same number of lawyers. The trial came with no incidence. Both sides, a total of 6 lawyers, under the heavy hand of the Honorable John Door, whose docket was already thick enough, quickly agreed that the TV volume at the Super Bowl night was very loud and was heard outside. No questions were asked with prompt admission. Another quick agreement made by the 7 was that they themselves were not capable of deciding the validity of the plaintiff's claim that louder volume consumed more electricity. They wasted no time to set up the next trial date for expert witness testimony. Finally, Judge Door suggested that the court have 14 jurors instead of 12 in the jury, citing an unprecedented subject of the trial. The 6 lawyers quickly formed two circles, with faces made and voices hushed, as if the subject was the heaviest stuff in the judicial system. However, the conclusion came swiftly, and they agreed to honor the judge's honorable suggestion. Afterwards, they were quickly dismissed. After all, they are all busy people.

6

Out of the 180 summoned prospective jurors, 14 jurors were selected. Two sides were both so confident of their victories that they selected, contrary to common practice, only men and women with engineering background. The jury turned out to be the best group of trained electrical engineers in the whole country. Later, Kevin hired 3 expert witnesses with extensive experience in engineering and scientific trials. One of Kevin's lawyers tipped him that the plaintiff also hired the same number of expert witnesses with backgrounds in electrical engineering. With this size of armada of electrical engineers, there was no doubt that the courtroom would be Ohm-ed, voltage-across-ed, current-through-ed, and operationally amplified. The courthouse had better increase the building maintenance budget since it was anyone's guess that there would be smoke billowing and sparks flying from the armada fires.

7

The basin-shaped pond links the Patwoamek River with the northern end of the Pocahontas Channel, and is a popular recreational spot for tourists and residents alike. This week, the number of pedal boat riders was noticeably reduced. There were more flowers fallen in the pond than in the cherry trees lining the pond. Crepe myrtles and flowering dogwoods started to cover the campus gardens with red and white. Through many absences from classes, expert witness depositions by the lawyers, and conference calls with all the lawyers and experts, the trial date for expert witness testimony arrived around the time the three major airports in the metropolitan area experienced another severe congestion of the season as the tourists ebbed away from the town.