

# Pimpin' Ain't Easy

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As attorneys, we are required to take 30 credits of continuing education classes every two years to maintain our license to practice. We continuously receive updates about cases decided at the state and federal levels, and also about statutes passed at the local, state and federal levels. To be effective, we need to know the current status of the law.

While important, most of these updates are not very riveting. Every once in a while, though, we uncover a real gem. For example, while staying current in the area of products liability law, my buddy came across a case from Oregon involving Sirgiorgio Sanford Clardy. Clardy is a 26-year-old former pimp who was arrested last year for compelling prostitution, robbery and second-degree assault. Apparently having a bit of a temper, Clardy assaulted one of his prostitutes and stomped on the face of her customer who tried to avoid paying for services.

During his trial, Clardy sat alone at his defense table because the judge determined it wasn't safe for his court-appointed attorney, Jonathan Sarre, to sit next to him. Because he was "disruptive," Clardy had to be strapped to a restraining chair and wear a mesh hood to restrict his spitting. After an expletive-laden tirade by Clardy, Sarre asked the court for permission to step down. Sarre explained, "It's not worth it to put my safety at risk, for what they're paying me to do this."

After he was convicted, Clardy was sentenced to a 100-year prison term while nine deputies stood guard. And here is where Clardy's case gets interesting.

From prison, Clardy filed a lawsuit against juggernaut shoe manufacturer, Nike, for failing to warn him that his sneakers could constitute a dangerous weapon. In his complaint, which Clardy shockingly filed without an attorney, he alleges that, "Under product liability there is a certain standard of care that is required to be upheld by potentially dangerous product."

In general, to prevail in a product liability claim, a plaintiff must show that a manufacturer who makes products available to the public either designed or manufactured their product defectively or failed to warn of its inherent dangers.

Clardy elected the latter claim when he filed the suit in Multnomah Circuit Court in Portland. Apparently he didn't realize the consequences of tap dancing on someone's face, as he claims Nike "failed to warn of risk or to provide an adequate warning or instruction" which resulted in "personal injury in the likes of mental suffering." Presumably there was also a great deal of physical suffering.

Clardy is requesting that the court order Nike to place warning labels on all their "potentially dangerous Nike and Jordan merchandise." He is also seeking \$100 million in damages.

After reading about this case, I am very happy I do not practice in the products liability area. I'm also happy to learn that we have a closet full of lethal weapons.