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Who Sued Michael Jordan?

by Gil Van Over

Michael Jordan was sued last month for being Michael Jordan! If someone can sue MJ for being MJ, it just goes to show that anyone can sue anyone for anything and there's nothing you can do to prevent being sued. You can, however, set up a defense ahead of time to mitigate litigation.

Last month, some shuttle bus driver at the Portland Airport filed a \$416 million lawsuit against Michael. He also sued Phil Knight with Nike for \$416 million. His reason? He is constantly being mistaken for MJ and now can't go anywhere or do anything without people constantly badgering him.

Never mind that he has a goatee instead of being clean-shaven. Never mind that he shaves his head instead of growing hair. Never mind that he wears an earring in his left ear instead of going without the bling-bling.

While the lawsuit is laughable, it still must be defended. Michael and Phil (perhaps Nike) are going to have attorneys' expenses to get this lawsuit dismissed.

Given the current litigious climate, you would be best served to have an effective risk management program in place to help deflect frivolous lawsuits, or at least, have an effective defense ready to defend yourself.

This program should contain certain elements:

- Direction and commitment from ownership
- A policy and procedure manual for sales and F&I
- Training on the policies and procedures. Document dates, times and attendees at all training sessions
- A checklist used by F&I and the Accounting office to verify inspection of critical items on each deal
- A three-layered audit program that includes a daily audit of each deal by the billing clerk (using the checklist), a monthly review of 5 percent of the deals by your office manager and a periodic audit by an outside firm
- Strong consideration of a video recording program to both document and audit the F&I manager's and customer's conversations

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