

H. Relief Sought

Plaintiff's Position:

I. D.C. CONSUMER PROTECTION PROCEDURES ACT

A. STATUTORY MINIMUM DAMAGES OR TREBLE ACTUAL DAMAGES

Statutory Minimum Damages (§ 28-3905(k)(1)(A)) \$1,500 per violation
x 14,400 violations (20 violations;
12 of which existed on 1,200
days from July 2002-June
2006)
\$21,600,000 per defendant
(Soo Chung, Ki Y Chung & Jin Nam Chung) x 3 defendants
\$64,800,000 **\$64,800,000**

- **or, treble plaintiff's actual damages -**

Actual Damages

Litigation Costs \$ 1,500
Mental suffering, inconvenience and
discomfort from deceit, litigation and
other "emotional damages that are the natural
and proximate result" of the defendants' conduct

(*Osbourne v. Capital City Mortgage Corporation*, 667 A.2d 1321 (D.C. 1995)) \$500,000
 Value/Loss of Time Expended in Litigation 465,390
 Leasing Automobile for 10 Years 15,000
 Replacement suit 1,450
 \$983,340
 x 3 (treble damages)
 \$2,950,020 **\$2,950,020**

B. **STATUTORY PUNITIVE DAMAGES** (For 3 defendants)
 Based on amount of actual damages awarded,
 the frequency, persistence, and degree of intention
 of the trade practice(s) and number of consumers
 affected \$200,000 **\$200,000**

C. **ATTORNEYS' FEES**
 May 8, 2005-March 21, 2007 (estimated 1,200 hours
 @ \$390-\$425/hr.) \$500,000
 March 21, 2007 to Trial Date (estimated 100 hours
 @ \$425/hr.) \$42,500
 \$542,500 **\$542,500**
Total (Based on election of D.C.C.P.P.A. Minimum Statutory Damages): \$65,542,500

II. **COMMON LAW CLAIMS-** D.C. Code § 28-3905(k)(2)
 ("The remedies or penalties provided by this chapter [for DCPA] are *cumulative*
and in addition to other remedies or penalties provided by law.")

A. **COMMON LAW COMPENSATORY DAMAGES**
 Fraud/ Conversion/ Negligent Bailment \$1,500
 Leasing Automobile (or walking 2 miles) Each Weekend for 10 Years \$15,000
 Emotional damages authorized for intentional tort
 (*Osbourne*, 667 A.2d at 1328; *Parker*, 557 A.2d 1319) \$500,000
 \$516,500
 (Treble damages-*District Cablevision, Ltd. P'ship v. Bassin*, 828 A.2d 714) x 3
 \$1,549,500

B. **COMMON LAW PUNITIVE DAMAGES**
 For 3 defendants (may depend on defendant's income) \$200,000
Total Common Law Damages: \$1,749,500

Total D.C.C.P.P.A. & Common Law Money Damages: \$67,292,000