

Women Health Clubs – An attorney’s delight!

I am continually amazed at the cunning and the creativity of certain members of the Trial Lawyers Association. Apparently, there hasn’t been enough action in California these days. Bus accidents must be down and people apparently have stopped spilling hot coffee in their laps. What is a civic minded attorney to do? Fear not ye champions of justice, for your brethren have discovered a new path of riotousness. They have taken up the mighty pen and have filed lawsuits designed to vindicate the poor down trodden American male who dreams of working out in a women only health club environment. Low and behold, two “gentlemen” have been turned away from membership in over 25 southern California health clubs because of their gender. As a result, they have become distraught and devastated with grief. Their dreams of moving around in a tight circle of hydraulic equipment with an occasional hop, skip and a jump have been destroyed; and by God, somebody is going to pay.

Despite the fact that these two “men” have access to over 10 co-ed health clubs within 15 minutes drive time of their respective homes, they were adamant about joining a women only facility nearly 45 minutes away. It must have been the ambiance. “I wonder if their attorney provided them with a map of the clubs they should join?” Oops; did I say that out loud? Your honor, please accept my apology. I retract the remark.

Our insurance brokerage represents several of these women’s clubs in California. In many cases, the club owners have never heard of the two potential male members. In other cases, it appears that these two guys simply made phone calls to various women’s clubs to inquire about enrolling. I wonder if the calls were made from their attorney’s office? Hmm... No, I guess not. I forgot that phone records can be easily tracked and I don’t think that a prestigious law firm would ever be caught up in something so unsavory. Anyway, I digress. Again, I’m sorry, your honor, for the comment.

Although many states have already determined that it is perfectly O.K. for a private health club to operate as a “women only “ facility, a lot of other states (primarily California) have yet to render a decision on this monumental issue. Attorneys across the state and across the nation are anxiously awaiting the outcome of these cases leaving club owners concerned about their livelihood and the affect it could have on their members. How dare these entrepreneurs create a haven where women can exercise in a non-threatening environment?

I don’t know about you, but I am fed up with the rampant litigation in our country. An insurance company recently lost a settlement representing a personal trainer who faxed a discount offer to all her fellow tenants in her office building. As it turns out, one of the tenants was an attorney. She was unaware that she was in violation of the Can-Spam Act of 2003. The what? Yeah, I know. Anyway, the attorney promptly subpoenaed all her fax records and filed a class action suit for \$1,500 “per offense”. The case settled for over \$90,000. I think the attorney still demanded a discount for the personal training sessions, but I can’t verify that.

Hey Arnold; if you really want reform in California, require any attorney who files a frivolous lawsuit to spend 40 hours of community service helping low income families negotiate their apartment leases. That should slow things down a bit.

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