

Fight to the death: Harvard prof takes on Chinese restaurant over \$4

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Full Comment's Araminta Wordsworth brings you a daily roundup of quality punditry from across the globe. Today: Whatever happened to making the punishment fit the crime?

That's the question raised by the actions of Ben Edelman, a Harvard Business School professor. Usually the multi-qualified academic — credentials include a law degree (surprise) — wages war on corporate malefactors, global behemoths of the likes of Google and Facebook.

For this he's earned the moniker, the "sheriff of the Internet." Now, the Cambridge, Mass., resident is engaged in another take no prisoners fight.

He's mulling legal action against a Chinese take-away restaurant near his home for a heinous crime: overcharging him by \$4.

As Hilary Sargent at Boston.com notes, the exchange started off civilly, with Edelman asking for a refund and Ran Duan of the Sichuan Garden restaurant explaining the website menu he ordered from hadn't been updated and offering to refund the overpayment.

A common enough story, given that the Internet is littered with outdated information. But that wasn't enough for Edelman. [Matters quickly escalated.](#)

"Under Massachusetts law it turns out to be a serious violation to advertise one price and charge a different price. I urge you to cease this practice immediately. If you don't know how to update your website, you could remove the website altogether until you are able to correct the error," he wrote

"In the interim, I suggest that Sichuan Garden refund me three times the amount of the overcharge. The tripling reflects the approach provided under the Massachusetts consumer protection statute, MGL 93a, wherein consumers broadly receive triple damages for certain intentional violations."

This seems something of an overreaction, *The Guardian's* [Nicky Woolff](#) reports.

At one point, Duan asked the question on the top of everyone's mind. "You seem like a smart man," he wrote. "But is this really worth your time?"

“You’re right that I have better things to do,” came Edelman’s response. “If you had responded appropriately to my initial message — providing the refund I requested with a genuine and forthright apology — that could have been the end of it.”

“The more you try to claim your restaurant was not at fault, the more determined I am to seek a greater sanction against you.”

The net result: Duan dug in his heels and said he’s waiting to see what the authorities decide.

At the website [Overlawyered](#) — Tag line: Chronicling the high cost of our legal system — [Walter Olson](#) wonders if Prof. Edelman wants to become its poster boy.

Ben Edelman has a law degree from Harvard Law School, a teaching position at Harvard Business School, and an economics and business background that has brought him such consulting clients as Microsoft, the NFL, The New York Times. He also seems to think he knows how to make life sheer hell if you’re the owner of a Chinese restaurant in Woburn and Brookline, Mass., that charged him \$4 more than your website said because you don’t update your website as often as you ought.

Reporting on the battle royal, [Ethan Baron](#) at *Fortune* magazine believes Edelman has a point.

Edelman might be criticized as petty and vindictive for upping his demands in the face of the small businessman’s intransigence. The HBS professor might even be called a bully for delivering a smackdown on a “mom and pop” over a \$4 bill dispute.

But Edelman’s argument about aggregate results is sound: \$4 for one order, multiplied by dozens of orders per night, could amount to thousands of dollars a week. And by knowingly advertising lower prices than it actually charged, Sichuan Garden was giving itself an edge over its competitors.

At *The Daily Telegraph*, [Louise Armistead](#) notes Edelman’s career is not without controversy — a report he wrote wiped 40% off the value of a company’s shares.

Blinkx has demanded a regulatory investigation into a Harvard professor after he admitted that his highly critical research into the company had been paid for by investors. The London-listed Internet video and advertising company has contacted the Financial Conduct Authority with concerns that it has been the victim of market manipulation ...

On Thursday, Harvard Business School forced Prof. Ben Edelman to disclose that his recent blog, which wiped 40% off the Blinkx share price last week, was commissioned by “two U.S. investment firms.” The admission, which follows the buildup of short positions worth 14.5% of the company, has raised concerns that his research was not independent.