

Starbucks Sued for Allegedly Underfilling Lattes



Summary: Two Starbucks customers want damages for their alleged short-changed lattes.

Don't mess with customers and their latte addiction. A couple of California customers were so upset that Starbucks allegedly stiffed them that they filed a lawsuit against the coffee chain. On Friday, a judge allowed the hot case to move forward.

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Judge Thelton Henderson allowed Siera Strumlauf and Benjamin Robles' fraud and false advertising lawsuit to move forward. The two are seeking damages because they said they were cheated when the company underfilled their lattes. They stated that Starbucks knowingly short changes customers by serving lattes that are 25% too small. In the lawsuit, the plaintiffs allege baristas are required to leave ¼ of an inch of free space in the cup. Baristas are also allegedly required to heat milk in pitchers with low "fill to" lines.

Overall, the plaintiffs thought Starbucks underfilled to fill their own pockets, and that left the Californians steaming.

"By underfilling its lattes, thereby shortchanging its customers, Starbucks has saved countless millions of dollars in the cost of goods sold and was unjustly enriched by taking payments for more product than it delivers," the suit stated.

Judge Henderson explained his decision to allow the case.

"The court finds it probable that a significant portion of the latte consuming public could believe that a 'Grande' contains 16 ounces of fluid," Henderson said.

Starbucks told Eater that this case was "without merit" and that they inform consumers that there are variations with their drinks.

This lawsuit is similar to the case filed earlier this year by a Chicago woman who stated the baristas put too much ice in her drink. She said that the drinks were advertised by fluid ounces, but that the iced drinks served were mostly ice, not liquid. She stated Starbucks misled customers by selling by *cup size* but making people think they were paying by *fluid ounces*.

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Starbucks responded that customers could ask for less ice and that the case was also "without merit." It is still pending.

While the Starbucks' cases may sound absurd, there *has* been some legal precedent in favor of the plaintiffs. In December 2015, Whole Foods was ordered to pay back customers for incorrectly weighing and thus mislabeling its food items.

Do you think the pair have a case against Starbucks? Let us know in the comments below.

Source: The Washington Post, New York Daily News