

[00:00:00] **Sound Effect:** Three gavel bangs.

[00:00:02] **Jesse Thorn:** Welcome to the *Judge John Hodgman* podcast. I'm Bailiff, Jesse Thorn. Oooh, we've got a corker for you this week, one of our all-time favorite episodes, "Dad Nauseam".

[00:00:15] **John Hodgman:** A corker is correct, Jesse! Hey, if you've ever wondered why we often talk about ordering Kung Pao chicken on this podcast, this is the episode for you, because this is the origin of the phrase, "I'll have the Kung Pao chicken." It was originated by a guy named Kevin, one of our amazing roster of weird dads on the show.

[00:00:35] **Jesse Thorn:** He might be the greatest weird dad of all time if it weren't for that one weird dad who was obsessed with cows.

[00:00:40] **John Hodgman:** That's true. Every time he saw a cow, he would say "cow". But that's another episode!

(Jesse laughs.)

In this episode, Daniel brings his father, Kevin, to the court asking us to prohibit him from asking for Kung Pao chicken at toll booths and other places.

[00:00:55] **Jesse Thorn:** It is a really special one. We are glad to share it with you. And if you heard this one the first time all those years ago, well it's time for you to hear it again. If you didn't hear it before, well you're in for a treat. Let's go to the courtroom for "Dad Nauseam".

[00:01:12] **Sound Effect:** Three gavel bangs.

[00:01:15] **Jesse Thorn:** Welcome to the *Judge John Hodgman* podcast. I'm Bailiff Jesse Thorn. This week, "Dad Nauseam". Daniel brings the case against his dad, Kevin. He says Kevin overuses the same joke with service industry workers, which the rest of the family finds embarrassing. Kevin thinks it's a funny joke that brightens people's day. Who's right, who's wrong? Only one man can decide.

(Chairs squeak, followed by heavy footsteps and a door closing.)

Please rise as Judge John Hodgman enters the courtroom and presents his obscure cultural reference.

[00:01:46] **John Hodgman:** I have a little donkey I never ride. One day, I go to the fair. Whim. Road, in my memory, has never been such a hot summer day. May not be 38 degrees early in the morning, five o'clock eating biscuits. Happiness is the law. Fritters went plowing through day by day. I love the simple pleasure of feeling like a hot and spicy Kung Pao chicken. Choose a good piece of chicken with a little chopped green onion, garlic chili,

peanut. Plus, do not forget, I came to town with market my big chicken, Mimi, bustling, trading in the crowd.

You are like an angel appeared in a dream, wearing a floral dress. You made me laugh at first sight. I love that feeling of innocence, even if the sky is falling, is not a problem. I just hope every day—with what you do together at home—can I just want you to be my baby? I do not care if you send Missy Temper with me, or you love to play the game. Ooh, you're my baby. Ooh, love is like Kung Pao chicken. Lying. Prairie, I'm lost in your eyes.

Bailiff Jesse Thorn, swear them in.

[00:02:53] **Jesse Thorn:** Please rise and raise your right hands. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God or whatever?

(They swear.)

Do you swear to abide by Judge John Hodgman's ruling, despite the fact that he only eats at joke restaurants?

(They swear.)

[00:03:15] **Jesse Thorn:** Very well. Judge Hodgman?

[00:03:17] **John Hodgman:** Daniel and Kevin, you may be seated for an immediate summary judgment in one of yours favors.

(Chairs squeak.)

Can either you, Daniel, or you, Kevin, guess the piece of culture that I quoted directly as I entered the courtroom? Kevin, you are the dad. You have been brought here against your will by your son, Daniel.

(Kevin chuckles and confirms.)

You can either guess first or force Daniel to guess first, and thus perhaps gain information from his guess. What is your choice?

[00:03:48] **Kevin:** I will force Daniel to guess.

[00:03:49] **John Hodgman:** Alright, Daniel, do you think you will be able to guess correctly?

[00:03:54] **Daniel:** Uh, I'll try. Okay, um—

[00:03:55] **John Hodgman:** Well, let me ask you: did you hear the quote?

(Daniel confirms.)

Great. That was only half of the quote. Will it help you to hear the rest?

(Daniel laughs and confirms.)

Okay, good. “Love is like Kung Pao chicken. Lying, prairie, I'm lost in your eyes. My heart is like a broken kite wandering. I really have you. I cannot believe. I'm often hard pinching myself to see if I was awake. Oh, baby, I do not. Why? Fancy. I know I have no money to send you. Hello Kitty. Can everything I gave you all, I love you because dear Daddy Bear, his sweetheart to marry me? I think he seemed a little upset. I did not have a Mercedes, but I did not ring. Willing to give you my beloved chicken. I do not stick together every day to tell you what to do at home. Can I just want you to be my baby, please? My little chickadee? I do not care if you send Missy Temper or you. I keep playing the game of love. Ooh, you are my baby. I just hope every day with you. Do not do anything at home. Can I just want you to be my baby? I do not care if you send Missy Temper or you love to play games with me. Ooh, you are my baby.”

Now, do you get it?

(They laugh.)

[00:05:05] **Daniel:** Um, okay. My guess, just going from previous experience here, is it's a Mountain Goats lyric. To a song that I don't know.

[00:05:18] **John Hodgman:** *(Laughs.)* Interesting guess.

[00:05:20] **Kevin:** Did you say Mountain Goats?

(Daniel confirms.)

[00:05:23] **John Hodgman:** Kevin? Just ‘cause he's your son doesn't mean that you run this place. I run this place. I am not saying whether or not it is or is not a Mountain Goat song, but I am saying with some assurance that if it is not a Mountain Goat song, it soon will be. After I make a phone call after this podcast and email these lyrics to a person that I know has been on this podcast before. But now Kevin, you have heard your son's guess. What is your guess?

[00:05:53] **Kevin:** So, it's a song. Uh. Martha Stewart—Martha Stewart sings—*(laughs)* I have no idea.

[00:06:01] **John Hodgman:** I love hearing a dad joke being constructed in real-time though. That was intense!

(Jesse laughs.)

I'd like you to come back to that when you're ready—when you break the back of that joke and you figure out what—Martha Stewart sings what, I want you to let me know. Just at any time interrupt, 'cause that's what dad jokes are for. But I can say with assurance, even as you just half answered, that all guesses are wrong.

Jesse Thorn, of course, you know.

(Jesse immediately denies it.)

Of course, you do, Jesse! That's the song “Kung Pao Chicken” by Taiwanese singer-songwriter superstar David Tao, off his 2002 album, *Black Tangerine*.

[00:06:40] **Jesse Thorn:** You know, I'm not much of a Tao-head.

[00:06:43] **John Hodgman:** Really?! I think there are probably some listeners who are really into David Tao. T-A-O. But if not, please go to MaximumFun.org to the *Judge John Hodgman* page, where we are going to be posting a recording of this song. It's a really good song! But since you both guessed incorrectly, we must now take up this case in earnest. Daniel, you have taken your father here to court to receive my justice, because you accuse him of bothering service people with the same joke.

What is the joke, Daniel?

[00:07:17] **Daniel:** Well, the joke is, “I'll have the Kung Pao chicken.”

[00:07:21] **John Hodgman:** Aaaaah! You see the connection?!

[00:07:24] **Daniel:** I—there is a connection. Yeah.

(Kevin laughs.)

So, what he'll do is, regardless of where he is, the first thing he'll say to whoever's serving him is, “I'll have the Kung Pao chicken.” Now this could be at a toll booth or, you know, the movie theater. But you know what? It's getting really old and not just me. Lots of people have gotten a little bit tired of it.

[00:07:49] **John Hodgman:** Kevin, do you really go to toll booths and say, “I'll have the Kung Pao chicken?”

[00:07:55] **Kevin:** *(Laughs.)* Yeah, that's one of my favorite. You know, recently went to a theme park, and as I pulled up to the booth and saw the exorbitant amount being charged, I looked at him and I said, “Hmm, I'll have the Kung Pao chicken.” And I always get a hearty laugh, and it doesn't get me in the parking free, but it gets a laugh.

[00:08:16] **John Hodgman:** You always—you always get—100% of the time, get a hearty laugh? From the—especially from the people who are imprisoned in booths?!

(Kevin laughs.)

I mean a literal, captive audience of one.

[00:08:29] **Kevin:** I guess there is that.

[00:08:32] **Jesse Thorn:** When you say a hearty laugh, are you referring to the laugh that you laugh after you say it?

[00:08:37] **John Hodgman:** *(Chuckling.)* Yeah, good point! I hadn't thought of that interpretation. Thank you, Bailiff Jesse.

[00:08:44] **Kevin:** The joy of the Kung Pao line is it's the absolute opposite of what you would typically say. And it sounds delightful, doesn't it? Kung Pao? I mean, it just is—I don't know how my family isn't delighted by it. And delighted to see the response out of those who are hearing it.

[00:09:06] **John Hodgman:** You did not answer my bailiff's question. Are you the one laughing or the person who is trapped in a booth forced to deal with you laughing?

[00:09:16] **Kevin:** *(Chuckles.)* I think I will laugh if the recipient laughs. Not 100% of the time.

[00:09:21] **John Hodgman:** The point—so, basically you're saying you don't notice what they're doing at all.

[00:09:28] **Kevin:** Oh, I do! I do.

(They chuckle.)

[00:09:29] **John Hodgman:** Okay. Daniel, your father has claimed 100% enjoyment of this joke, time and time again. Do you dispute that assertion?

(Daniel confirms.)

Can you describe a time when your father has requested the Kung Pao chicken and it didn't—it did not bring joy to the person who was attempting to take his toll or give him a parking ticket?

[00:09:51] **Daniel:** If I'm gonna be generous, I'll—from what I've seen, I'll give him a 50/50 of—

(Kevin “wow”s dejectedly in the background.)

—of, you know, the person maybe just smiling or the person just saying, “Wow, really?”

(Kevin laughs.)

I think he has selective memory. I think he remembers maybe the one person who actually laughed out loud, and he pastes that over every, you know, following encounter.

[00:10:19] **John Hodgman:** It's interesting. So, you are counter-asserting a 0-1% hearty laugh rate compared to his 100%. And the truth has to be somewhere in the middle.

[00:10:32] **Daniel:** Yeah. Hearty laugh is a strong term. I mean, I'm thinking of a belly laugh.

(Kevin gives a hearty laugh of his own.)

[00:10:39] **John Hodgman:** Like your dad's enjoying right now! Kevin, you have an infectious laugh, and I also have to say that when you delivered the line in your dramatic recreation of your parking lot experience, I kind of chuckled. It was a pretty good delivery.

[00:10:57] **Kevin:** You've got to. You've got—to be alive, you have to chuckle.

[00:11:01] **John Hodgman:** *(Stammering.)* Well, I—do it again. Do—alright, here. Let's roleplay it right now. Well, you know, this is a—this is a kind of interaction. Let's just say I'm, um... what should I be, Bailiff Jesse Thorn?

[00:11:16] **Jesse Thorn:** I don't know.

[00:11:17] **John Hodgman:** I'm a police officer who's pulled you over for speeding.

[00:11:23] **Kevin:** That's a good one. I bet I'd get off if I lay that on an officer.

[00:11:26] **John Hodgman:** How about this? How about you've already gotten a ticket for speeding, and now you're in my courtroom to dispute the ticket. Okay? So, here we go. Roleplay. You ready, Kevin?

(Kevin confirms with a chuckle.)

In the case of Kevin versus the state, uh, come forth. Kevin, what do you have to say for yourself?

[00:11:46] **Kevin:** Uh, your honor, before we begin, can I—*(clicks teeth)* let's see, can I have some Kung Pao chicken, fried rice and—

[00:11:51] **John Hodgman:** You didn't—you didn't do it right that time.

[00:11:54] **Kevin:** See that? See that? I don't think—

[00:11:56] **John Hodgman:** You were on the spot. You were on the spot there.

[00:11:58] **Kevin:** I don't think that was where I would use it.

[00:12:01] **John Hodgman:** Right. Because?

[00:12:03] **Kevin:** I think because it needs to be so off the wall that it breaks the arduous tasks that the food provider or the toll booth operator is experiencing. So—

[00:12:21] **John Hodgman:** Oh, so you're doing it as a favor to them?

[00:12:24] **Kevin:** I—kind of! Kind of.

[00:12:26] **Jesse Thorn:** You're like a Johnny Appleseed, traveling the nation, sewing mirth in our toll booths by tossing bon mots their way.

[00:12:35] **John Hodgman:** His folkloric name would not be Johnny Appleseed. It would be Kung Pao Kevin.

[00:12:40] **Kevin:** (*Chuckles.*) I like that. I was taking my daughter back to college one night, and we decided to get yogurt. And so, we're in this long line, and the gal was just exhausted and just hating life. So, I get up there, look at the board, and say, "Hm. I'll have the Kung Pao chicken." And I tell you, she laughed and is still probably laughing to this day. And—

[00:13:07] **John Hodgman:** She's still probably laughing to this day?!

[00:13:09] **Kevin:** She said, "Thank you for that."

[00:13:10] **John Hodgman:** You broke—you're saying that you broke her brain? She's now institutionalized, laughing. Alright. I interrupted you, sir. Go ahead. She said, "Thank you for that."

[00:13:22] **Kevin:** She said, "Thank you for that. That made my day."

And I said, "Well, you're welcome." And my daughter, who is one of the—would be a plaintiff if she was here—I said, "Rachel, you have to admit she got a kick out of that."

And she said, "Yeah, Papa." So, I think the good overwhelms the bad.

[00:13:40] **John Hodgman:** What—do you acknowledge that there is bad?

[00:13:45] **Kevin:** There can be. I've said it—I can remember saying it three or four straight times, and the young food servers just looked at me. I think one looked at me as if I was getting dementia and thought, "Oh, this poor guy doesn't know where he's at." So, I was really think starting to think, well, maybe the family has a point. But then, I laid it on someone, and the hearty laugh pursued, and I—it was like my meter was recharged (*makes a refilling noise*) and it's back. So. (*Laughs.*)

[00:14:16] **John Hodgman:** You got your Kung Pao groove back?

(Kevin laughs.)

Alright, Daniel, how old is your dad? Do you even know?

[00:14:25] **Daniel:** 56.

[00:14:26] **John Hodgman:** Pretty good. Pretty good. That's good. And Daniel, how old are you?

[00:14:29] **Daniel:** I'm 28.

[00:14:31] **John Hodgman:** And you have at least one sister, sounds like. Rachel.

[00:14:36] **Daniel:** Correct. And a younger brother as well.

[00:14:38] **John Hodgman:** Where are you in the order?

[00:14:40] **Daniel:** I'm the oldest.

[00:14:41] **John Hodgman:** You're the oldest. So, you're trying to lay down the law, here?

[00:14:43] **Daniel:** It falls on me, yeah, to overthrow my father.

[00:14:48] **John Hodgman:** Do you speak for all of the siblings? Well, it doesn't matter if you do or not. You're the oldest. You tell them what to think.

[00:14:55] **Daniel:** That's true. That's the truth. Uh, but no. Yes, I've been kind of their appointed representative in this courtroom to, uh—

[00:15:03] **Kevin:** And they've all wished you luck!

[00:15:03] **John Hodgman:** You're their anti Kung Pao proxy.

[00:15:07] **Daniel:** I can't tell you how much positive energy I've received from many, many different people wishing me luck in this case.

[00:15:13] **John Hodgman:** Oh, really? Do you have like a petition that you've had signatures?

[00:15:19] **Daniel:** It might as well be.

[00:15:21] **John Hodgman:** You're talking about your brother and your sister, but anyone else supporting you?

[00:15:23] **Daniel:** My brother, my sister, coworkers, my stepmom, my—yeah, it goes on and on.

[00:15:29] **John Hodgman:** Your coworkers?!

[00:15:30] **Daniel:** Correct. So, I work with Kevin. We work in the mortgage industry, real estate. And—

[00:15:35] **John Hodgman:** Oooh, no wonder you're such a barrel of laughs.

[00:15:40] **Daniel:** (*Chuckles.*) The people we work with have heard the Kung Pao just as often as, I mean, the rest of us, the family. So.

[00:15:48] **John Hodgman:** And what context are they hearing the Kung Pao line?

[00:15:51] **Daniel:** Mostly at our lunch, you know, if we'll go out and grab a bite.

[00:15:54] **John Hodgman:** Oh, alright. When a client—so, you are mortgage brokers?

(*Daniel confirms.*)

Is your mortgage brokery called Kevin and Dan?

[00:16:04] **Daniel:** Kevin and Dan's Mortgage? No. I wish! That's a good idea.

[00:16:08] **John Hodgman:** Is it called—is it called Father and Son Mortgage?

[00:16:12] **Daniel:** It could be here soon.

(*Kevin laughs.*)

[00:16:14] **John Hodgman:** Is it called Kung Pao...

[00:16:17] **Daniel:** Kung Pao Finance Factory.

[00:16:19] **John Hodgman:** There we go! Kung Pao Finance Factory. Holy cats! That is a brand I would love to buzz market.

[00:16:29] **Kevin:** I don't think I would trust that outfit with my loan. (*Laughs.*)

[00:16:32] **John Hodgman:** Are you kidding me, you guys?! If I had a choice between, you know, Universal Mortgage—which is I think the place where I got my mortgage—and Kung Pao Finance factory?!

[00:16:49] **Kevin:** (*Laughs.*) You're going universal.

[00:16:51] **John Hodgman:** Are you kidding me?! I'd go to KPFF!

[00:16:55] **Kevin:** We can abbreviate it, yeah.

[00:16:57] **John Hodgman:** Bailiff Jesse Thorn, are you with me on this or no?

[00:17:00] **Jesse Thorn:** Yeah, I'm with you.

[00:17:01] **John Hodgman:** Kung Pao Finance Factory. This—(*chuckling*) here's your tagline. Kung Pao Finance Factory: it's not your father's mortgage company; it's my father's mortgage company. Kill me.

[00:17:16] **Daniel:** Kill—kill me.

(*Kevin laughs and “wow”s.*)

[00:17:17] **John Hodgman:** That's just a tag. I was—I'm just—look, I'm brainstorming here. I'm just trying to help you out.

[00:17:22] **Jesse Thorn:** Let's take a quick break to hear about this week's sponsors. More “Dad Nauseam” when we return.

[00:17:28] **Sound Effect:** Three gavel bangs.

[00:17:30] **Sound Effect:** Three gavel bangs.

[00:17:33] **John Hodgman:** Kevin, where are you guys located?

[00:17:36] **Kevin:** We're in Irvine, California.

[00:17:37] **John Hodgman:** Irvine, California. Alright. And how long have you guys been in business? Kevin?

[00:17:43] **Kevin:** 20... 25 years.

[00:17:44] **John Hodgman:** And when did Daniel join the business?

[00:17:47] **Kevin:** Daniel joined—what?—about six years ago. My son was an English lit major and decided he didn't want to teach. So. (*Laughs.*) Welcome to the business, son. But he's done great. So.

[00:18:05] **John Hodgman:** It must be fun to have your son working with you.

(*Kevin confirms.*)

Is he doing a good job or is he kind of on probation?

[00:18:14] **Kevin:** (*Laughs.*) He does a great job. He's—this business has gotten pretty arduous. So.

[00:18:19] **John Hodgman:** But what's going on in the mortgage industry that makes it so hard?

[00:18:23] **Kevin:** You know, the bubble was blamed on us to some extent. And I guess we—

[00:18:31] **John Hodgman:** You personally?

[00:18:32] **Kevin:** We—yeah, me personally. We deserve some of it, I guess. But the regulation and the minutiae is just mind boggling.

[00:18:40] **John Hodgman:** You mean since the financial collapse?

(*Kevin confirms.*)

Or near financial collapse. Right. It's gotten a little bit more challenging. If I were to come into your office, Kevin, and I'm like, “Uh, hey, I'd like to get a mortgage,” would you Kung Pao me?

(*Kevin chuckles.*)

Would you go like, “Hey, yeah, well, I'd like the Kung Pao chicken. So, what are we gonna do? We'll meet somewhere in the middle.”

[00:19:07] **Kevin:** No, I mean, if it were—let's say Daniel was saying this line. I think I would love—and I know it's coming—I would love to see the reaction of the person on the other side of the counter.

[00:19:21] **Daniel:** Can I say something here?

[00:19:22] **John Hodgman:** Well, you're there when you're saying it! Hang on a second, Daniel. You're there when you're saying it. Aren't you observing the reaction when you drop the Kung Pao?

[00:19:29] **Kevin:** I am! I am. And I guess I'm miffed at the family's and friends' disgust by it. Because I can understand that they've heard it to nauseam, however, it's a gauge upon the person across the counter's zest for life. In other words, I've had some waitresses and waiters take it the whole nine yards. "Would you like fried rice with that? Would you like Chow Mein?" They come back and say, "How's your Chow Mein?" I mean, they just play it the whole way through! And those servers get a nice 25, 30% gratuity, where if someone just looks at me with a blank stare, they're down to 15%.

[00:20:11] **Jesse Thorn:** That's actually how I deal—John, I don't know if you know this, that's actually how I deal with audiences when we're doing live shows. 15% gratuity for audiences who don't laugh at my dumb jokes, and up to 35% for those who really bust a gut.

[00:20:28] **John Hodgman:** (*Laughs.*) I'm going for it! HA-HA-HA-HA-HA-ha-ha-ha-how did I do?

(*Returning to calm.*) So, your joke is not merely to entertain and break the tedium of these people whose jobs you believe are boring and unfulfilling, which you have observed by telepathy, but also to test them as human beings as to whether they are worthy of you.

I'm—look, I don't mean to put words in your mouth, but that's exactly what you're saying.

Daniel, how long has Kung Pao been going on?

[00:21:01] **Daniel:** Oh god, uh... probably 10 years.

[00:21:04] **Kevin:** (*Thoughtfully.*) Longer than that.

[00:21:05] **Daniel:** Longer than that, he says.

[00:21:07] **John Hodgman:** Kevin, I like how you come to your own defense on that one. Where did you—where—is this your—is this a joke of your own devising? Or—? How did this—how did it come up? Do you remember how it started?

[00:21:17] **Kevin:** Yeah. I think is probably about 20 years ago. You know how they—a food server will have a trainee with them? And I remember this gal introducing—let's call her Sharon—and saying, "Sharon's gonna take your order now."

So, I thought I would, you know, play with Sharon a bit. And I—when it came to me, I ordered the Kung Pao chicken. And we were probably at an Italian restaurant. Well, anyway, she looked confused.

[00:21:46] **Daniel:** And then, you gave her a 15% tip.

[00:21:50] **Kevin:** (*Chuckles.*) No, I don't remember that, but—

[00:21:50] **John Hodgman:** Daniel, let your father finish his story.

(*Daniel concedes.*)

[00:21:53] **Kevin:** But I thought it was well-received by both trainer and trainee and the table.

[00:22:02] **John Hodgman:** But how do you—I mean, look, I know like if you're a writer or a comedian or a songwriter, it's like how you—you get stricken with a particular line. It might—it might be difficult to remember exactly what went through your brain. How did you say, “(*Snaps.*) I gonna ask her for Kung Pao chicken.” What—how did you settle on Kung Pao chicken? How did this get—what was the spark?!

[00:22:25] **Kevin:** First of all, I really like Kung Pao chicken. It's a delicious entree. And then—

[00:22:30] **Jesse Thorn:** So, you're saying if the toll booth operator happened to have some Kung Pao chicken, you wouldn't be above paying that toll booth operator for the chicken then consuming that chicken?

[00:22:40] **John Hodgman:** Frankly, that would merit a 1000% tip. If they—if a toll booth operator played along to the point that they actually gave you their Kung Pao chicken.

[00:22:51] **Kevin:** Well, yeah. I mean, can you imagine if you—I don't know if I can mention the theme park.

[00:22:58] **John Hodgman:** Go ahead.

[00:22:59] **Kevin:** It was Disneyland. And it's \$18, for Pete's sake, to park your car there. So, I almost expect some Kung Pao chicken with that!

(*John giggles.*)

And then, a little pricey. But anyway—

[00:23:13] **Jesse Thorn:** (*Satirically.*) That's how I feel when I pay my tax bill! Those spendo-crats better get me some Kung Pao chicken! (*Chuckles.*)

[00:23:18] **Kevin:** But it wouldn't be the same if I said, “Give me the General Tso chicken,” or something. Isn't Kung Pao the—

[00:23:25] **Daniel:** Well, it's got a good—it rolls off the tongue, is what you're saying.

[00:23:28] **John Hodgman:** There is a certain genius to it. And you know that Kung Pao chicken is named for the late Qing Dynasty governor of Sichuan Province, Ding Boazhen, whose title was Gongbao—which is literally Palace Guardian, and it is perhaps the most popular Sichuan dish that exists.

And since 2005, you can actually get authentic Kung Pao chicken in this country. Do you know why?

[00:23:56] **Kevin:** No, why?

[00:23:58] **John Hodgman:** Daniel, do you know why?

[00:24:00] **Daniel:** Uh, no

[00:24:01] **John Hodgman:** Sichuan peppercorns, you guys! Sichuan peppercorns are the numbing pepper that you get in authentic Sichuan cuisine, which was banned from import between 1968 and 1990—excuse me, 2005. And now you can actually get the real thing again. And frankly, I want to get some tonight, ‘cause I’m thinking about this Kung Pao chicken so much. Maybe I’ll go to a parking lot or to a bagel store or go to the subway booth—go to the token booth at the subway and ask for something and maybe I’ll get some.

[00:24:31] **Daniel:** Speaking of numbing, this catchphrase is pretty numbing. There’s a lot I have to address here. Um.

[00:24:38] **John Hodgman:** Alright. I will let you have your say, Daniel.

[00:24:41] **Daniel:** Well, okay. Now I can see that there’s some humor in the Kung Pao chicken. You know, I think it’s probably unrealistic to get him to never say it again. And I know that you have a strong precedent for wacky dads and their weird behavior, but context is what’s important here.

We’ve been out to sushi before where he’s asked the waiter for some Kung Pao chicken, and the waiter was a little bit baffled, thinking—

[00:25:07] **Kevin:** (*Softly.*) That was an error.

[00:25:08] **Daniel:** “Do you—do you think all Asian food is the same?”

[00:25:12] **John Hodgman:** Is that what he said or that’s what you—?

[00:25:15] **Daniel:** That’s what I could just—there was just an awkward silence, and you know, everyone else at the table—we’re counting down how long until we jump in and apologize and say, “We’re—don’t worry, we’re sorry.”

[00:25:25] **John Hodgman:** And did I hear a little, quiet acknowledgement from Kevin there? Did you just say, “That was an error,” Kevin?

[00:25:32] **Kevin:** You did, your honor. That was an error in judgment, and I don't do that anymore, I don't believe.

[00:25:39] **John Hodgman:** You don't go into sushi restaurants?

[00:25:40] **Kevin:** I don't go into sushi or, obviously, anything closely related. Like—

[00:25:44] **Daniel:** Well, and for years, I worked as a waiter at a certain Australian, fried onion themed restaurant.

(John laughs.)

[00:25:55] **Jesse Thorn:** Just say it's Cheesecake Factory.

[00:25:57] **Daniel:** Yeah, Cheesecake Factory, right.

(They laugh.)

[00:25:58] **John Hodgman:** Let me ask you the question: was this restaurant In Front Meat Shack? Was that the name of the place?

(Kevin and Daniel laugh.)

[00:26:07] **Daniel:** That's exactly what it was! It was the In Front Meat Shack, right next to Kung Pao Finance Factory.

[00:26:13] **John Hodgman:** Two new t-shirts, by the way. We gotta get on that right away.

[00:26:18] **Daniel:** I like it. But you know, chain restaurants like that—you know, they have kind of eclectic menus. They'll have, you know, stuff like that. If I'm having a rough day and I'm dealing with some real terrible customers, and then—

[00:26:31] **John Hodgman:** If you're in the weeds? I know the lingo. I know the lingo!

[00:26:32] **Daniel:** Right. And then, someone asks me seriously—like, for the Kung Pao chicken, maybe—you know, maybe I wouldn't recognize it at first. Or maybe it's, “Oh, do you mean the spicy Diablo chicken?” Or whatever it could be, and just knowing that, right there, that my gratuity—even if I had excellent service—would go down—

[00:26:53] **Kevin:** But you don't—you don't know that.

[00:26:56] **Daniel:** No, but if I did, I would be offended.

[00:26:58] **John Hodgman:** That's a secret your dad is deviously keeping to himself.

[00:26:59] **Daniel:** Yes! That's what I'm saying. It's a—this just—it's just not worth it. There is no gut busting belly laughs. At most, it's a smile or a chuckle or just a, “Hey, you got me. We don't serve Kung Pao chicken.” At worst, it's just an awkward, befuddling, jarring experience while he waits for the person to catch on and laugh, which never happens. The tradeoff is not worth it. Risk vs. reward.

[00:27:30] **John Hodgman:** Now you broke in there, Kevin, to say, “You don't know that I am silently judging you along my own weird Kung Pao chicken criteria.”

(Kevin confirms.)

“And that your tip is going up and down, fluctuating according to my own sick whim at any given moment.” Because you're keeping that secret to yourself. But I think it's fair to say that whether or not you are there, whether or not you have revealed your fluctuating sliding scale, every person who has ever served food in a dining establishment that relies on tips by necessity has to feel that they're being silently judged all the time, ‘cause they usually are—whether or not it's you testing them with your joke or another diner just testing them with their speediness and their knowledge of the menu.

Isn't that right Daniel?

(Daniel confirms.)

When you're a waiter, you live in fear. Do you not?

[00:28:27] **Daniel:** Oh, I—I still—no, I still wake up in a cold sweat, sometimes.

(Kevin laughs.)

[00:28:34] **John Hodgman:** Yeah! *(Laughs.)* Listen to the maniacal laugh of your father.

[00:28:38] **Daniel:** It's not the knowledge that I'm being judged, it's that I'm being judged for laughing at a joke that is... barely funny. That's it.

(Kevin “wow”s.)

[00:28:48] **John Hodgman:** Uh, Kevin, have you waited tables?

[00:28:51] **Kevin:** I have never.

[00:28:52] **John Hodgman:** You have never. Have you sold yogurt in a college town?

[00:28:56] **Kevin:** Uh, no.

[00:28:58] **John Hodgman:** Have you worked in a toll booth?

[00:28:59] **Kevin:** No.

[00:29:01] **John Hodgman:** Uuuuh, have you... worked the parking lot at Disneyland?

[00:29:07] **Kevin:** (*Laughs.*) No.

[00:29:10] **John Hodgman:** What jobs have you had, aside from Kung Pao Finance Factory? Like, when you were growing up. Like, when you were in high school. Summer jobs. That kind of stuff. Did you do lawn work? Did you do—?

[00:29:23] **Kevin:** It was usually janitorial. I cleaned the bakery during the wee hours, when they weren't baking. And stuff like that, and so, I know the food service people live off these tips, and that is very important to them. But it baffles me that they go about their business mummified or in a coma.

[00:29:50] **John Hodgman:** That's what they have to do to live!

[00:29:51] **Kevin:** They could be having a bad day, but don't they realize their tips would be—and their income would be proportional to how they interact with their customer? So, if they see me throw out this line, obviously, I'm a character. Play with me! You know, like a cat plays with a ball of yarn. And you'll get—you'll get a good gratuity.

[00:30:16] **Daniel:** Okay, now if it were me, I would recognize that it was a joke. And I would probably have to fake laugh at that joke and wipe a fake tear from my eye and die a little bit inside, just because I'm trying to make the tips.

[00:30:31] **Kevin:** (*Laughing.*) Wow! That's really—

[00:30:34] **Daniel:** You lose a little bit of yourself every time you have an interaction like that. You really do.

(*Kevin laughs helplessly.*)

[00:30:37] **John Hodgman:** Surely, this is not the first time your son has explained this to you!

[00:30:44] **Kevin:** Judge, this is—this is new to me! I mean, I didn't realize that a piece of his soul was destroyed every time I said this!

[00:30:51] **John Hodgman:** You—but you're laughing 'cause you think this is a huge exaggeration. But sir, let me tell you, it is not. And here's the thing, I completely understand and am sympathetic to your dad, Kevin. Because—look, I don't know you very well, but I know that you have your own business. Which requires you to be social and interactive with your clients. Right? That's part of your job, right?

(*Kevin confirms.*)

And you have to have fun with them. You have to tell jokes and receive jokes. And it's one of those sort of like hand-shaky type jobs, you know what I mean?

(Kevin agrees.)

And then, your other work experience that you were able to describe—which was cleaning a bakery in the middle of the night—like I'm not—I was in no way suggesting that you're unfamiliar with hard work and sort of drudge labor, which we all have to do at times in our lives. Do you know what I mean? But that was a profoundly antisocial job, right?

(Kevin confirms.)

And so, you would've loved to have some impish, weird dad wander into your life and go, “I'd like to have some Kung Pao chicken.” *(Laughs.)* It would've given you something to do at 2AM in the bakery, a little mystery to solve. How did that man get in here and what is he doing? That would be great! But service industry, a little bit different. Wouldn't you say, Daniel?

(Daniel agrees.)

Yeah. I don't think he's an exaggeration to say that when you're serving multiple customers over and over and over again in a repetitive task—people who are requesting service from you, and you are obliged to give it no matter what they do. And in fact, you are being silently judged, 'cause you have to—if it's a tipped based job, say like being a waiter or being a toll booth operator—you know that that's a tip-based job, right? 20% on every toll.

(They laugh.)

You are a performer. You are essentially performing live theater for sequential audiences of one to five. And yeah, you need to be in a rhythm in order to do that, and it's hard to be thrown off your rhythm. And I guess some people might enjoy it, but other people very well may not! Because all of a sudden, you've got your own son, Daniel, going, “Wait, wait, is Kung Pao chicken on the menu? I'm confused. And now I have another thing to think about along with all the other things I have to think about!” And it may be that you just didn't consider that. Would you think that's fair, weird dad Kevin?

[00:33:22] **Kevin:** *(Laughs.)* You know that as—spoken so elegantly, I would agree with that. You could be tempted to spit my food over that one, huh?

[00:33:31] **John Hodgman:** Oh, I didn't even consider that! Oh my gosh!

(They laugh.)

Kevin! I mean, you probably cannot comprehend the amount of non-your-saliva you have ingested—

(They laugh and Kevin “wow”s.)

—over the years. And I don't know what toll booth operators are like in Irvine, California, but if I went through the New Hampshire turnpike on my way to Maine and I dropped a Kung Pao chicken joke to one of those living monsters who live in there—one of those trained by other humans to become sociopaths, lest they give up their entire life themselves toll booth operators? Man, I would get—I would get a stare so cold my heart would immediately freeze, and I would be—and I would cease living!

[00:34:27] **Kevin:** You're talking a whole different ballgame, it sounds like there. *(Chuckles.)*

[00:34:31] **John Hodgman:** Yeah, no, that's—I wouldn't risk it, myself.

[00:34:35] **Daniel:** Now Judge, one other thing I wanna bring up. And—

[00:34:37] **John Hodgman:** Really?! Because it feels like I've kind of made your case for you here, Daniel.

[00:34:42] **Kevin:** He did well, Daniel!

[00:34:43] **Daniel:** *(Stammering.)* Let me pile it on here. I got a lot riding on this.

[00:34:45] **John Hodgman:** I don't like piling on dads.

(Kevin “ooh!”s.)

I'm not sure what—I'm not sure what you have riding on it. What is it that you're ordering me to do exactly?

[00:34:53] **Daniel:** I'm just saying—

[00:34:54] **John Hodgman:** If you win this case, if I find in your favor, what is my order? I'll let you bring up your other point, but I wanna get this down—out there right now.

[00:35:03] **Daniel:** Obviously, the most agreeable to me would be an immediate cease and desist on the Kung Pao line.

[00:35:08] **Kevin:** Don't say it. Oh, man.

[00:35:11] **John Hodgman:** What bothers you more? The joke being repeated over and over again or the joke existing at all?

[00:35:19] **Daniel:** What bothers me the most is not even that he does the joke over and over again—and he does it when, you know, none of us are around. He'll do it just by himself.

(Kevin confirms and John laughs.)

What bothers me is that he knows that it irks us so much, that it causes us such discomfort, that he'll even tell us about the times he used it when we weren't there and the response he got.

(Jesse and John cackle.)

[00:35:46] **John Hodgman:** He reads you—he reads you his Kung Pao chicken joke diary?!

(Kevin laughs.)

[00:35:50] **Daniel:** Pretty much! Pretty much. He'll come home and say, “Oh, you should have been there. I ordered a burrito. I asked for the Kung Pao chicken. The kid—his face lit up. Oh, you should have been there. It was great.” And we're forced to relive this moment over and over, even when we are not there. It's rough.

[00:36:05] **John Hodgman:** Do you ever suspect that your father is lying? When he's like—

[00:36:10] **Daniel:** Oh, no doubt! No doubt. He—

(Kevin “wow”s with a laugh.)

[00:36:13] **John Hodgman:** “I know that you guys didn't see the Snuffleupagus of everybody enjoying my joke. I swear, he was right here. It just happened.”

[00:36:21] **Jesse Thorn:** It might not necessarily have to be characterized as a lie, Judge Hodgman. I mean, it could be that he's seeing the world through laugh-colored glasses.

(They chuckle.)

[00:36:31] **Daniel:** No, it's not—it's not so much that he doesn't—it's if he gets one good reaction, which he does get, that will last him, you know, making 20 other people uncomfortable. He'll still think it's worth it and he'll go after it.

[00:36:48] **Kevin:** Judge. Judge, I have to break in. These numbers being thrown about are completely false. I would say I—and I'm not exaggerating. When I go to Starbucks and order a latte, I say it every time.

(John snorts.)

I would say 99% of the people taking that order laugh. And I swear that's true.

[00:37:12] **John Hodgman:** Is this the same Starbucks every time?

[00:37:15] **Kevin:** No, it's different Starbucks, and I'll often say—

[00:37:18] **Daniel:** He keeps a chart of the Starbucks he's used the line on.

[00:37:22] **Kevin:** I'll often say—

[00:37:23] **Jesse Thorn:** Well, I mean, if you don't want a repeat Starbucks and you're going to 100 Starbucks to test this out, yeah, you better keep a chart!

(They laugh.)

[00:37:31] **Kevin:** I mean, Daniel's throwing around some errant numbers here.

[00:37:35] **John Hodgman:** Hold on. *(Banging his gavel.)* Order, order, order in this court! Order in this court. This court is now furious with both of you that I don't have the Starbucks Kung Pao laugh chart submitted as evidence. Does this thing exist, or does it not exist?

[00:37:51] **Daniel:** It doesn't exist, but—uh, to my knowledge. I would not put it past him to—

[00:37:55] **John Hodgman:** Wait a minute, Daniel, you said he had a chart! Were you lying?

(Kevin "aaah"s smugly.)

[00:38:00] **Daniel:** I am adding a little bit of hyperbole.

(Jesse dissolves into laughter.)

That I wouldn't—I wouldn't put him past him to keep track of who he's used the Kung Pao line on and to try to work it onto some new people and rotate it.

[00:38:13] **John Hodgman:** You know what, Daniel? I've heard enough from you. Because, frankly, I don't know what is crueler: asking a toll booth operator for Kung Pao chicken as a joke or teasing this court with the promise of a Starbucks Kung Pao laugh chart that doesn't exist. I'm finding you in contempt of court right now.

(They snicker.)

Whatever my ruling is, the next time you guys are out for dinner, you—Kevin, at the very least, gets one last Kung Pao chicken in.

[00:38:39] **Sound Effect:** One gavel bang.

[00:38:40] **John Hodgman:** Teach you—gotta brush you back. Don't like that at all. Now just be quiet for a second and let me get—let me have a chance to be mad at Kevin again.

Kevin, you say these numbers are all off. There is no chart; there is no data. Why should I believe you when you say the numbers are all off?

[00:39:02] **Kevin:** If I said this and was getting blank stares, like Daniel says I get, and wasn't getting the response that I say I've been getting, I wouldn't do it! Because, like he said, I will do it when no one's around. And I do it all the time because I think that person, that Starbucks server, has never heard that before. And they laugh; they think it's clever, and then it opens up other dialogue. And it's just—it's just a—it's just a delight, and a fear of mine is that your listeners will also use this, and it won't be that novel. It's an actual fear!

[00:39:46] **John Hodgman:** You're afraid you're burning your material.

[00:39:50] **Kevin:** Yeah! This is like my baby, and I'm afraid that it's gonna be—you know—

[00:39:55] **Jesse Thorn:** You wouldn't say that your son is your baby?!

[00:39:58] **Daniel:** First, the Kung Pao, then me and the other—the other children.

(Kevin laughs and struggles for words.)

Can I just say? I love my dad. I love that he's a character. I love that he wants to make people smile and laugh when he goes around.

(Kevin thanks him.)

I just think he's a witty guy. He can do so much better than this.

[00:40:20] **Kevin:** *(Laughs.)* I really can't.

[00:40:20] **John Hodgman:** I mean, if you're contending that his forcing a joke on service industry personnel is inherently disruptive and disrespectful, then it's not an issue of coming up with a better joke.

[00:40:33] **Daniel:** No. Correct. I've heard it for 20 years, so I'm a little bit biased, I would say.

[00:40:38] **John Hodgman:** You're gonna—you're gonna be a little bit sorry, when after this podcast breaks, that Kung Pao chicken joke is gonna be the most viral meme in the world.

(Kevin laughs.)

You'll get nothing for it. I'm gonna—I'm gonna be out there with my Kung Pao Finance Factory t-shirt making all kinds of money. Kevin, in the affidavit that was presented to me, our producer talked to you. And these are the notes that she wrote down based on things that you said.

“Kevin really wants to be thought of as a character and remembered as such.” I'll ask you to respond to that. Is that true?

[00:41:11] **Kevin:** That is true. I always—growing up, my friends whose fathers were full of personality and characters are the dads that I would love to interact with. And Judge, wouldn't you say that was your case growing up? Wouldn't you—wouldn't you want to engage and be around those fathers who were characters?

[00:41:35] **Jesse Thorn:** I feared character dads.

(Kevin laughs.)

[00:41:36] **John Hodgman:** Well, whether you feared them or loved them, they carried a certain charge that your own, boring dad didn't carry. And that made them a little bit more interesting.

(Kevin agrees.)

And maybe you loved them precisely because you didn't have to deal with them all the time, day in, day out like your own dad. I think I've heard everything I need to in order to render my decision. I am going to go into my toll booth and hope no one bothers me while I make my deliberations. I'll be back in a moment with my decision.

[00:42:17] **Jesse Thorn:** Please rise as Judge John Hodgman exits the courtroom.

(Chairs squeak, followed by heavy footsteps and a door closing.)

Daniel, how do you feel about your chances in the case?

[00:42:25] **Daniel:** You know, I feel pretty good. I feel like, without bashing Kevin too much, I've opened his eyes a little bit to that other people can understand the complaints that we tell him all the time. So.

[00:42:41] **Jesse Thorn:** Daniel, you're a grown man who calls his dad Kevin. Why do you even care?

(Kevin laughs.)

[00:42:47] **Daniel:** Well, see, I work with him. I see him every day. It's not just me, either. Like I said, there's a lot of other people counting on me to—for justice to be done.

[00:42:57] **Jesse Thorn:** Kevin, how do you feel about your chances?

[00:42:59] **Kevin:** Not as good as I did coming in! I really thought this might be the judge's most open and shut case. 'Cause why would my son want me to not brighten people's days? But *(laughing)* I guess there is a flip side to that coin, which I never really saw. So.

[00:43:19] **Jesse Thorn:** Well, I mean, I think we can agree that your son seems like a real monster, trying to prevent you from brightening people's days.

[00:43:25] **Kevin:** (*Laughs.*) He is! Don't you think?

[00:43:30] **Jesse Thorn:** He's a real storm cloud in front of the sun that is you. (*Chuckling.*) You were the sun brightening America's days. He is a pregnant storm cloud, dark with water. Well, we'll see what the judge has to say about all of this when we come back in just a minute.

[00:43:50] **Sound Effect:** Three gavel bangs.

[00:43:52] **Sound Effect:** Three gavel bangs.

[00:43:54] **Jesse Thorn:** Judge Hodgman, we're taking a quick break from the case.

[00:43:57] **John Hodgman:** Yeah. Jesse, I have a question for you. Do you remember how, 247 years and one day ago, we broke up with England?

[00:44:07] **Jesse Thorn:** Yeah, (*chuckling*) I do remember that. This is the week when we celebrate our antipathy towards our neighbors to the east.

[00:44:16] **John Hodgman:** The special relationship is on again! Because we're making up with the UK, and we're returning to London and the London Podcast Festival this September. So excited! Haven't been there since 2017. We're coming back.

Jesse, what are our dates?

[00:44:32] **Jesse Thorn:** We'll be at the podcast festival Friday, September 15th, Saturday, September 16th. You can find all of the details at MaximumFun.org/events. That's MaximumFun.org/events. We always have a great time there at Kings Place.

[00:44:48] **John Hodgman:** Yeah, when we talk about Friday and Saturday, those are the two main days of the (*placing the emphasis on the second half of the word*) weekend, as they say over there. The weekend. We're gonna have a good time at the London Podcast Festival. Plus, Jesse Thorn, I believe that's not the only Maximum Fun podcast that's gonna be at this festival.

[00:45:05] **Jesse Thorn:** *Jordan, Jesse, Go!*'s gonna be there too, baby. It is gonna be a blast and a half. And I will be dedicating all of my energy between now and September 16th to trying to convince Sharon Horgan to show up for one of the shows.

[00:45:19] **John Hodgman:** Didn't you do a *Bullseye* with her at London Podcast Festival?

[00:45:21] **Jesse Thorn:** Yeah, I did. (*Playfully bashful.*) And she kissed me. She kissed me on my cheek.

[00:45:23] **John Hodgman:** Yeah, she gave you little kiss. MaximumFun.org/events is where you go to get tickets. But we also need your London beefs.

Oh, the *Beef and Dairy Podcast* is gonna be there too. But we're talking about your disputes. If you're in London or can get there, won't you send in the dispute that you have with your neighbor, friend, spouse, partner, whatever? Go to MaximumFun.org/jjho to send in all your disputes all the time, but specifically if you're gonna be in London and you wanna come see the show and you've got something you want aired on stage—aired and settled by me and Jesse—MaximumFun.org/jjho for your UK London based disputes.

Now we also have some other tour announcements to make soon. Very exciting some of the places that we are going to, but we're gonna leave that for now, because we're not ready to announce them yet. And when we do announce them, we're gonna announce something else that's special. Stay tuned. In the meantime, MaximumFun.org/events for the London Podcast Festival and MaximumFun.org/jjho for your London beefs.

Jesse, anything else going on with you?

[00:46:25] **Jesse Thorn:** No, I don't think so.

[00:46:26] **John Hodgman:** Okay, great. Then we'll see you in London!

[00:46:28] **Jesse Thorn:** Let's get back to the case!

[00:46:29] **Sound Effect:** Three gavel bangs.

[00:46:31] **Jesse Thorn:** Please rise as Judge John Hodgman reenters the courtroom.

(Chairs squeak, followed by heavy footsteps and a door closing.)

[00:46:36] **John Hodgman:** I remember when I was growing up in Brookline, Massachusetts, and I was a teenager in high school. And there was, uh—there were some character dads around. John Wolfe's dad was pretty funny. I remember one—Valerie Gintus's dad made a joke that I remember every day and is one of the formative jokes in my life. It was a very dad joke, but I didn't realize it at the time. And I was getting a ride home from Coolidge Corner with her or something, and her dad picked her up. And I got in the car. She said, “Oh wait, hang on a second. I gotta go over to the bookstore.” To Brookline Booksmith, we went to Buzz Market, my hometown bookstore. Still great. She said, “I gotta go—I gotta go to the bookstore and get a book.”

And he goes, “Why? You already have one.” I love that joke. You already have a book! Why do you need to buy one? That was the context of the joke. And what made it such a classic dad joke was not only was it corny and a little bit dumb, but also it was delivered in such a dad deadpan. And that's why it worked.

Now. You know, Kevin and Daniel, that I am a professional humorist. Comedy is my business, and I am here to tell you that I'll have some Kung Pao chicken—on paper—is a terrible, terrible joke. But I would be lying if I didn't admit that the first time you did it, Kevin—the very first time—(*stammering*) and you did this understated like, “Hmm, I'll have the Kung Pao chicken,” you kinda got me! (*Laughs.*)

[00:48:28] **Kevin:** (*Laughs.*) See the magic?

[00:48:29] **John Hodgman:** You have a delivery, sir, that I enjoy a lot. And I hope you take this as flattery—and also that you know what I'm talking about—when I say there's a little Bob and Ray in what you're doing with your voice and even a little, uh—what is it? Coyle and Sharpe there, Jesse?

(*Jesse confirms.*)

‘Cause it’s got a little—that kind of sing-songy, nasal, low, deadpan thing going on. I'm not saying you hit it all the time, but there's something about the really understated way you did Kung Pao chicken that made me think this could be a funny joke in certain contexts. Now you think, sir, that it's a funny joke in every context. And yet, you also know instinctively that that's not true. Because I said to you, “Let's role play. You're in my courtroom. I'm a judge, and you're petitioning—or you're trying to get out of a speeding ticket.” You're like I wouldn't do it then. I said, “Well, you know, what if I were a client coming in to buy a mortgage?” Eh, I wouldn't—probably wouldn't do it then either. And there's a reason, right? Because the whole point of the joke is formed on a power differential in which you have the power.

And this is something that I don't think that you understood about this joke, until Daniel and I really lay into you for it, which is that when you are sitting in a restaurant or approaching someone at a yogurt shop, you have the power to get that person in trouble. You have the power to make that person's life more difficult. You have the power—and indeed act on the power—to withhold tips if they do not dance for your particular pleasure in the way that you deem to be correct. And they're as aware of it as you are. And therefore, it is easy to throw, “I'll have the Kung Pao chicken,” onto a cashier at the yogurt place. And it may be that in that moment she appreciates that it is your desire to add a little texture to her life, because there's nothing more monotonous than the smooth texture of frozen yogurt.

(*They laugh.*)

But it may also be—and I think this is what Daniel is pointing out to you—a point of true confusion for someone who is telling—who is receiving this joke in a restaurant of any kind and a moment of anxiety, because all of a sudden one of the people who is coming up in the line of unfamiliar faces moment after moment after moment in that person's day is a wildcard, and you don't know where they're coming from. And you don't know what they're asking, and you don't know whether it means they're telling a little joke or maybe I, as the service person, am having a stroke and don't understand language anymore. But they have to process all of that and then decide, “What am I gonna do about this person who is making my day complicated all of a sudden?” And if they come to the correct conclusion that it's a joke,

then they may feel obliged to go, (*weakly*) “Ha, ha, ha, I get it. What do you want, really?” And then they can move on with their lives.

I don't dispute—honestly, sir—that you're getting laughs with this joke. Real laughs, warm laughs that you're sharing with people who get your intent when you do it. But I have to imagine that that is a minority of opinion. Even when people are laughing, they are laughing potentially under the duress of “what happens if I don't laugh at this weird dad's joke?”, and quite honestly, that's not being a character anymore. That's being—that's causing a problem for other people, and that's not as funny. Okay? Because true comedy, true comedy—and I'm saying this is someone who most people accuse of not practicing true comedy, and they're probably right—true, fearless comedy would be being called before a judge and the judge says, “What do you have to say for yourself?”

And you say, “Uh, I think I'll try the Kung Pao chicken.”

(*They chuckle.*)

When you're putting yourself at risk, that's comedy. When you're threatening others implicitly with a lowered tip, that's terrorism.

(*They laugh.*)

And so, the truth is that comedy is profoundly subjective. And I'm—I have not taken any time to walk in your clown sized shoes to experience your judgment when you deploy this joke vs. when you don't deploy it. You're saying that you're going into Starbucks, and you've done it multiple times, and they always love it. I would enjoy seeing you go into the same Starbucks every day at the same time and telling it over and over and over again until it becomes an Andy Kaufman style in endurance joke. That would be something I would enjoy a lot, but I don't want to be the guy who forces someone to remove humor from their lives.

So, you have heard my warnings and I think you've heard your son in a new way with regard to making your waiter or waitress deal with a joke that they may not understand. And I will say this right now, since you have heard us both, I will not deny you this Kung Pao chicken joke. Rather, I want you to work on it. So, I will say: you may not make this joke anymore in restaurants of any kind. There's simply too much of a likelihood of confusion, and confusion is not funny but terrifying to a wait person who has a million things on their minds, believe me. Clarity and respect is what you owe a wait person. You may selectively deploy this in a retail interaction, because what makes this the potential to be funny—aside from your own deadpan delivery, which I enjoy—is the contrast between what you are asking for and what the establishment actually serves, right? So, if you are in a hat store and you ask for Kung Pao chicken, that's getting closer to funny, but it still verges on terror for the person serving you. Because they are, after all, a captive trapped audience.

If you sense that the person is game, you can give it a try. Maybe give it a try at Starbucks. You seem to know your audience there. But I would encourage you, if you really wanna hone this to be a real joke, to restrict yourself to places where telling this joke may cause you profound disapproval, a mean stare, or a physical altercation. (*Chuckling.*) Places like—I mean, I think a toll booth is the perfect place for you to do this joke, because you might get in

trouble! You might not be allowed to go forward! And if you can deliver the joke such that you can get a legit laugh from a toll booth operator, then I think you have accomplished everything you need to with this joke, and you are ready to retire it. I do order you to rename your business Kung Pao Finance Factory, so that you—so that I will not be the only one profiting off that name. But otherwise, keep it out of restaurants and start thinking a little bit more about what it's like to be on the other side of the counter in a real way, not just in the way that you think they just all want some weird dad to come joking at them right away. This is the sound of a gavel.

[00:56:56] **Sound Effect:** A rimshot.

[00:56:57] **John Hodgman:** Judge John Hodgman rules. That is all.

[00:56:59] **Jesse Thorn:** Please rise as Judge John Hodgman exits the courtroom.

(Chairs squeak, followed by heavy footsteps and a door closing.)

Daniel, how do you feel?

[00:57:06] **Daniel:** I feel pretty good. I gotta say that was more than I was expecting to get.

[00:57:12] **Jesse Thorn:** What was your expectation?

[00:57:15] **Daniel:** “Weird dads are great. Don't touch them. You're wrong,” was kind of what I was expecting.

[00:57:22] **Jesse Thorn:** *(Cackles.)* That's a t-shirt!

Kevin, how are you feeling?

[00:57:28] **Kevin:** A little shocked, I guess. I'm taking a loss out of this. Um, I did tell my wife and all my loved ones that I would abide by the judge's ruling. And I think a tear is forming by the thought that I can't use this in a restaurant.

[00:57:50] **Daniel:** A tear—a tear of joy.

[00:57:51] **Kevin:** No, a tear of sadness!

[00:57:52] **John Hodgman:** It's not—sir, it's not a funny joke in a restaurant, 'cause they serve food there!

(Kevin laughs.)

Look, it may never be funny, but I'm trying to give you the best comedy knowledge I have to offer. For it to even be close to funny, it's gotta be high contrast. It's gotta be delivered

perfectly. And you have to understand that you're not—you're not entertaining a person. You are disrupting a person's life for your own amusement in the great, long tradition of Coyle and Sharpe style prank comedy, which is what this is. So, if you can accept that reality, then you might be getting something closer to comedy.

[00:58:31] **Jesse Thorn:** Gentlemen, thank you for joining us on the *Judge John Hodgman* podcast. It was truly a pleasure.

(They thank him.)

[00:58:37] **Sound Effect:** Three gavel bangs.

[00:58:39] **Jesse Thorn:** Uh, Judge Hodgman, sorry to disturb you here in your chamber.

[00:58:42] **John Hodgman:** Sorry, I'm just trying to order some Kung Pao chicken.

[00:58:46] **Jesse Thorn:** Oh, I was gonna order some Kung Pao chicken from you, but it's fine.

[00:58:48] **John Hodgman:** Okay. *(Chuckles.)* Well, you know what, good thing you're here at Refinanced Kung Pao Factory, 'cause I'm buying some Kung Pao. I'm gonna bundle that Kung Pao with other Kung Pao chickens, and I'm gonna sell you a Kung Pao mortgage product.

[00:59:01] **Jesse Thorn:** Hey, this week's case was named by Chris Fazio! Thank you, Chris Fazio! If you wanna name a case in the future, oh, it's easy and fun. Just follow [@Hodgman](#) on Twitter and [@JesseThorn](#) on Twitter and like Judge John Hodgman on Facebook. And join the Maximum Fun Facebook group. That is, connect with us via social media.

[00:59:24] **John Hodgman:** Yeah, why not?

[00:59:26] **Jesse Thorn:** Our producer on the show is Jennifer Marmor. We'll see you next time on the *Judge John Hodgman* podcast.

[00:59:34] **Sound Effect:** Three gavel bangs.

[00:59:36] **Sound Effect:** Cheerful ukulele chord.

[00:59:37] **Speaker 1:** [MaximumFun.org](#).

[00:59:39] **Speaker 2:** Comedy and culture.

[00:59:41] **Speaker 3:** Artist owned.

[00:59:42] **Speaker 4:** Audience supported.