

DAILY NEWS

DELTA RUINED OUR DREAM TRIP: SUIT

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A ticked-off traveler is suing Delta Air Lines for \$1 million because he says a dream trip to Argentina for his mom's 80th birthday turned into a hellish airport odyssey.

Richard Roth says he and his family put up with flight delays, overbooked planes, misplaced luggage, extra expenses, a stranded relative and surly airline workers last December before finally arriving in Argentina three days late - and on another airline.

"It was one catastrophe after another," **Roth** said. "It was the most outrageous experience of my life."

The Manhattan lawyer, his wife, two kids and his mother also spent three nights stuffed into single hotel rooms in Atlanta and Melbourne, Fla., when they had already paid for luxury accommodations in Buenos Aires.

Using frequent flyer miles, **Roth** booked the 10-day trip over his kids' winter vacation.

The family was set to fly on Dec. 20 from the Westchester airport to Atlanta to meet his cousin's 20-year-old daughter for a connecting flight to Buenos Aires.

"This was going to be a dream trip for my mother to go back to her homeland," **Roth**

said. "We had made all the arrangements to meet family and her old friends and neighbors.

"Instead, we got to spend two wonderful days in the Atlanta airport. It was outrageous."

A Delta spokeswoman declined to comment on the suit filed in Manhattan Supreme Court.

The suit said the vacation turned rotten almost from the start. A delayed flight from Westchester led to a mad dash in Atlanta - only to have an "obnoxious, rude" Delta staffer bar them from boarding the connecting flight.

"I kept saying that my cousin's daughter was on that flight," **Roth** said. "And she was on the cell phone telling us the plane door was open and that the pilot had said we could get on."

The relative, Jessica Ortner, ended up alone in Argentina after **Roth** and his family didn't make the flight.

That led to more airport misadventures that included a detour to Florida and a shopping trip after they didn't get their luggage in time to fly out of Miami aboard Aerolineas Argentina.

"We had to spend a day shopping for clothes when we should have been in Argentina," **Roth** said.

What would have been a 10-day trip eventually turned into a abbreviated stay, with the family finally touching down in Buenos Aires on Dec. 23.

Roth said he has since badgered Delta with phone calls, e-mails and letters - to no avail.

"I'm a litigator and I sue people very easily, but I didn't want to sue," he said. "They didn't care when we left, they didn't care when we got there and they didn't care when we got back."

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