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LECTURED BUT NOT READ

**A Thesis
presented in partial fulfillment of requirements
for the degree of Master of Fine Arts
in the Department of English at
The University of Mississippi**

by

KEVIN L. CIFARELLI

May 2013

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ABSTRACT

This is a collection of interlinked short stories that, among other things, satirize the legal profession. Although each story may stand on its own, the stories are structured so that the accumulation of information from each story enhances the next. Thus, it is recommended that the reader read the stories in the order that they are presented.

This is a work of fiction. All the incidents, names and characters are imaginary.

DEDICATION

With much love, affection and admiration, this thesis is dedicated to Amy Bazlen Cifarelli, who provided me with the courage and the confidence to quit the practice of law and to move from California to Mississippi. You're an amazing woman. I look forward to many more dedication pages with your name on them.

ACKNOWLEDGMENTS

I express my love and gratitude for my daughters, Greta and Piper. You both inspire me every day and make me want to be both a better father and better writer. I hope this thesis brings a smile to your face and serves as a reminder that if you believe in yourself and have the courage to take a risk and are willing to work hard, then dreams can come true. I love you both.

I express appreciation to my fellow workshoppers, who were tasked with reading and providing comments on many of these stories. Thanks, guys.

Finally, I acknowledge Lola. You are the best!

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THE PARTNERSHIP TRACK

All you have been told about partnership is that the management committee meets on the day of the firm's Christmas party to make a decision. A more ambitious lawyer may have pressed for more exact information as to the procedure or, at the least, undertook to determine when new partners are notified. But you didn't want to risk jeopardizing your chances by appearing overeager.

Alert and anxious, you stand in the corner of McCarthy, Winnett & Snyder LLP's perfectly proportioned conference room—your hair brushed neatly, shoulders arched and chest out, as if you are awaiting the next tune of a German cotillion—and receive hard, blank stares from the partners and sad, sympathetic smiles from the secretaries. You pour a generous serving of brandy into your plastic cup of eggnog.

"Better not let Wallman see you doing that," says DeVito.

"What's this now? I can't have a drink?" you say. "It's a Christmas party. What do they think—we're robots?"

"So long as your title is 'Timekeeper 1331' that's exactly what they think."

DeVito helps himself to a bite-sized spinach quiche.

The comment agitates you. You aren't a timekeeper. You're a senior litigation associate. You have your own office (with a city view), a desk with a built-in drawer for different colored pens, your own copy code, a shared secretary (she prefers to be called an assistant), dental insurance, a 401k, and flexible health savings account.

Still, DeVito has a point. The firm requires that you keep meticulous track of your time. A computer software program allows you to input a detailed description for every six minutes that you spend working on a project. The timekeeping program generates a daily report—a “Timekeeper Production Report”—that provides a bar graph of your annual progress. The Report arrives by e-mail and hard copy every morning. According to the attorney handbook, timekeepers become eligible for partner upon billing two thousand four hundred hours per year for seven consecutive years. That’s twelve hours per day every single weekday of the year—excluding lunch breaks, coffee runs, meetings, reading the dailies, using the bathroom, checking e-mail or any other activity that cannot be charged to a client. And that’s the minimum.

“How many hours did you bill today, sport?” says DeVito.

“Only nine,” you say. “And yourself?”

“Well, I did the crossword, then went for coffee and then checked on my fantasy football team.” DeVito’s thrilled with himself. He stopped billing time two weeks ago when he accepted a job across the street at a plaintiff’s firm. He intends to tender his resignation the moment he cashes his year-end bonus. “By the way, we play each other this week—don’t forget to submit a lineup again.”

You didn’t even know you had a fantasy football team. For the past six years you have endured fourteen-hour days—staring at financial records, finding loopholes in the Tax Code, and eating frozen microwaveable dinners at McCarthy Winnett & Snyder LLP’s Chicago office trying to impress the Partnership Committee. You thirst for a time when you are elevated to the status of junior partner: two-hour

lunches at white table-clothed steak houses, Wednesday afternoon golf and committee meetings in air-conditioned rooms with overstuffed leather chairs, where you enjoy gourmet coffee and sugary baked goods.

A time existed when work brought pleasure, fulfillment even. You awoke in the morning with a genuine anticipation for what the day might bring. Conversations with bosses were effortless, words easily delivered, egos of senior partners adeptly massaged, and you felt enthusiastic about the future.

Lately, however, you feel encumbered by responsibility. Simple tasks such as flossing and buckling a belt are exhausting. Sunday evening stomachaches occur with such regularity that the development of intolerance to lactose or the growth of toxic mold that lurks beneath the plastered walls of your apartment seems possible. You joined a gym and hired a personal trainer—a lean, serious Chinese American man named Rickey—in the hope that exercise might eject the negative energy. Rickey recommended a cocktail of mandatory nutrients—multivitamins, amino acids, and fish oil tablets. They elevated your blood sugar and caused night sweats.

A Jungian psychologist named Susan Wilke works with you on your anxiety. Dr. Wilke suspects that your failure to recognize archetypes—notably, the shadow—generates fear of moral deficiency. She encourages you to keep a journal. Last week, you discovered a strange, recurring daydream: You are thirteen and spending the night at your grandparents, because your parents are divorcing. “It’s just temporary,” is how they put it. You awake with your grandmother standing over you naked and weeping. Symptoms of psoriasis—red patches of skin covered with silvery scales—dot her inner thighs. “I’m turning inside out,” she says. This memory

is false. Your grandmother died in a car accident when you were five and your parents have never separated. The daydream causes you to lose seven-tenths of a billable hour.

Dr. Wilke prescribed Aderall and Valium to manage your imagination. The medication seems to improve your concentration, though sometimes your right elbow becomes numb and you notice that you need to urinate more frequently, often several times during the night.

Sometimes you consider quitting the firm and trying to find a more fulfilling career. But you've already invested six years of your life—nine years including law school—trying to make partner. You're not going to flush that down the toilet. Not to mention the ninety thousand dollars outstanding on your law school loans. Besides, what else are you going to do? Sell real estate or work in marketing at some impertinent technology company? Trained seals can do those jobs.

A trained seal can't do your job.

Across the room Greta Bazlen—a brown haired paralegal with large white teeth—smiles at you and holds up a small plate of dim sum. Greta works across the hall from your office in a cubicle that smells of cigarettes and is adorned with photos of toddlers and vintage bumper stickers like, "Glam Killed Metal" and "Smile. Your Mom Chose Life!" Greta wears fashionable jeans and a tight black t-shirt that reveals arm tattoos of Chinese words. You can't read Chinese but you like what it says.

"I'm going to talk to Greta," you say to nobody in particular.

"No you don't." DeVito wags a finger at you. "Remember rule number one."

"Always be billing?"

“Don’t fuck the help.” DeVito’s smile reveals a string of spinach lodged between his left lateral incisors and chipped canine.

Managing partner Dick Wallman pauses to look in your direction before he continues recounting his closing argument in the Perkins embezzlement trial to a group of junior partners—bald, bespectacled men in charcoal suits.

“I wonder if anyone would—”

“They’re always watching,” says DeVito crunching on a tortilla chip.

“Always.”

A server in a black vest and bow tie approaches with a tray of unagi and spicy tuna rolls.

If you like sushi, go to page 6.

If you prefer dim sum, go to page 9.

The unagi is seasoned to perfection. There's something about the spicy tuna, though, that you can't quite put your finger on. A little warm, a little vinegary. Probably fine. Anyway, better to be on this side of the room than with some low-level paralegal that might get between you and partnership. Come to think of it, now's a good time to return to your office and bill some additional time to the Mathers file.

Your mobile phone buzzes. The caller ID states, "Blocked," though you know the caller is your mother, who "rejects the rules of the Establishment" and refuses to unblock her number. She also refuses to leave voicemail messages and if you ignore the call, then she'll continue phoning in fifteen-minute intervals until you answer.

The last time you spoke with your mother she was upset because you didn't call your father on his birthday. "This is craziness, your carrying on like this," she said. "How can you forget you have a father? Have you stopped taking your medication?" It's not strange that you didn't remember your father's birthday. You avoid speaking to him at all costs. Anyway, your mother frequently projects her anxiety on to you and she is not a licensed physician.

You ignore the call and fill a blue ceramic mug with eggnog and a generous serving of brandy. Wallman has completed his story about the Perkins trial and is now speaking in a low voice with senior partners Lew Meyer and Ivan Chalif.

"Hello there, fellow route forty-two rider." Greta holds a Corona with a lime wedged in the bottleneck. "Planning a quick getaway?"

"I don't think the forty-two runs after eight o'clock," you say watching Wallman.

"It doesn't?" Greta pretends to look pouty.

DeVito squeezes between two square-jawed transactional lawyers who are comparing cufflinks. "What's the plan?" He crunches into a wonton. "We going to Shenanigans or what?"

"Charlie's in another one of those existential funks and can't seem to decide," Greta says.

"I'm not in a funk," you say.

"He's worried about partnership," says Greta.

"I have heartburn, that's all," you say.

"Maybe it's an ulcer," says Greta.

"Maybe it's cancer," says DeVito.

"I bet it is," says Greta.

"Or signs of a heart attack," says DeVito.

"Or something worse," says Greta.

"Remember Bob Russell?" says DeVito. "Was on the verge of partnership. He felt tired, a little sick to his stomach, thought had eaten some bad lamb. Went to see the doctor and they told him he had mesothelioma."

"It was all a misunderstanding, though, wasn't it? The doctor mixed up his records with another patient," says Greta.

"No, he's dead," says DeVito. "You're thinking of Jack Perkins."

"Oh, that's right. What ever happened to Perkins?" says Greta.

"Nothing. He's dead, too," says DeVito.

"All right, would you two knock it off?" you say.

“What?” says DeVito.

“Oh, cheer up,” says Greta.

Wallman is whispering to another partner as he stares in your direction. You should probably use the bathroom. “I’m cheerful. I just—I might need to do a little more work,” you say loudly.

“That’s great to know!” yells Greta.

“Well, I want a drink,” says DeVito. “A real drink—before Wallman corners me and gives me cancer.” DeVito stuffs a wonton in his mouth and heads for the elevator. “I’ll be at Shenanigans.”

“You’re not really going to work, are you?” says Greta. “Come back to my place and then we’ll head out.”

Your phone is ringing again.

If you leave with Greta, go to page 24.

If you don’t leave with Greta, go to page 32.

Before finding Greta you freshen your eggnog with a long pour of brandy. DeVito winces just as you feel a slap on your back and the tight squeeze of your shoulder.

“Pretty good party, eh gentlemen?” says Richard Wallman. He has a large head and aggressive, grey beard that occupies his cheeks and threatens to invade his eye sockets. It’s easy to imagine him leaning his monstrous head into the jury box, marshaling his arguments in his deep baritone voice, and commanding jurors to return a not guilty verdict.

“It’s not bad, Mr. Wallman.” The words are flat, wrong and your fingers begin to swell as a sudden, palpable risk exists that the conversation will shift to some dangerous subject other than law—polo, expensive cheese, your father’s renouncement of the Catholic church.

But he seems not to hear you as he surveys the room with deep satisfaction until his head abruptly freezes.

“Baker?” he says. “What is the meaning of this one—at the sushi station?”

Addison Baker steps forward and says quietly, “Greta Bazlen. Paralegal. Hired in June. Twenty-six. UCLA undergraduate. Profitable in third fiscal quarter.”

“Mmm.” Wallman taps his index and middle fingers on his lips, then nods at your tumbler and grasps the eggnog ladle. “Well, Simpson. Looks like you need a refill. What’ll it be?”

“Just an eggnog, Mr. Wallman. Thanks.”

“*Just* an eggnog. And here I pegged you for a scotch man.”

“I mostly avoid alcohol, sir.”

“Of course you do.” Wallman smiles as he hands you the cup.

“I mean, especially with something as big as the Mathers file on my plate.”

“Ah, yes, Mr. Mathers. He’s a dreamer, isn’t he?” He muses for two beats, then returns. “Now, how are we going to make sure you get home safely, Simpson?”

“I really haven’t been—”

“We certainly can’t rely on your friend here.” Wallman eyes DeVito. “His passenger seat is probably filled with the firm’s office supplies.” He laughs loudly at his joke as DeVito adjusts his footing.

“Thank you, Mr. Wallman,” you say, “but that won’t be necessary. I have barely—”

“It’s absolutely necessary. We care about the safety of our workers. Especially our *trustworthy* workers.” Wallman rolls his eyes towards DeVito. “Anyway,” he lowers his voice, “I don’t want you stepping into a manhole and filing a workman’s compensation claim. Our premiums are high enough as it is.” Wallman roars.

“I can drop him,” says Lew Meyer who appears from the shadows. “It’s on my way.” Meyer is a short, stocky man with poor posture and a missing thumb. His tiny mouth and thin lips project an expression as grim and solemn as a pause during a eulogy. Meyer worked in the firm’s St. Louis office until last July when his wife filed for divorce. For several weeks, staff members heard him yelling and banging his fist on the oak finish desk in his office—“Goddamn it all” followed by the thump of a heavy object striking the wall. When they opened the door, Meyer was writing on a legal pad or sitting in an overstuffed leather chair and dictating a letter as if nothing

had happened. Eventually, his behavior became too disruptive and strange and he was transferred to Chicago. The partners hoped that he would stop coming to work and disappear into the fabric of the city's millions of people. He didn't.

"It's settled then." Wallman clamps his large hand on your neck and massages the base of your skull. "We are expecting big things from you, Simpson." Before leaving to join Baker, Wallman leans in and says loud enough for Meyer to hear: "Whatever you do, don't let him take you on one of his... appointments."

If you want to ride in a car with someone who may be violent, go to page 12.

If you wish to avoid violence, go to page 32.

“You don’t have any weapons in the vehicle do you?” The question slips out of your mouth.

“I carry a knife.” Meyer turns the ignition on his sedan and scrunches up his nose and wiggles in his seat as if he was trying to expel some bad gas. “But that’s only in the event that there’s a cake.”

Meyer’s attempt at humor takes you off guard, but it diffuses some of the tension. You unbutton the top button of your shirt and remove a lemon square that you had wrapped in a cocktail napkin and placed in your coat pocket before you left the party.

“You shouldn’t eat that crap.” Meyer nods at the pastry. “You want to eat walnuts or almonds as a snack. The omega-3s will keep your energy up.”

“I’ve heard that.” You dutifully wrap your lemon square in the napkin and place it back in your pocket.

“You all right?”

“Fine,” you say. “I feel fine. A little tired maybe.”

“You’re probably not getting enough iron.” Meyer maneuvers the car out of the building’s parking garage onto the street.

“I sometimes take a multi-vitamin, but they give me a headache,” you say.

“Multi-vitamins are coated with plastic. They’re toxic. You want to get your nutrients from plants, leafy green vegetables. Kale. Collard greens. Chard, Swiss or red is fine. Spinach to a lesser degree.” Meyer glances at you. “Breakfast should be egg whites, oatmeal with flax seed or nonfat Greek yogurt with blueberries—organic not frozen.”

A recent *New York Times* article described a nutritional study that debunked the supposed benefits of antioxidants in berries. But you lift a pen and notepad from your leather bag to make believe that you are taking notes and intend to visit the supermarket first thing tomorrow morning. “I hadn’t thought about adding flax seed to oatmeal,” you say. “Is there a brand you recommend?”

“They’re all about the same. The other thing you want to do is keep your stress down. It raises your blood pressure.”

Meyer has turned left on Columbus even though your apartment is the opposite direction.

“I think you might have—” You turn your head in the direction of your apartment. “I’m actually off Laguna and Clay?”

“Nice part of town over that way. There’s a small errand I need to run for Wallman. You don’t mind if we take a little adventure, do you?”

If you fear adventure, go to page 32.

If you like adventure, go to page 14.

The bony nub of flesh that remains of Meyer's thumb taps the steering wheel along to the beat of Burl Ives on the radio as the car accelerates along the eastern edge of Lincoln Park. A group of people stands outside of a church in their heavy coats and red mittens and wool scarves, smiling and talking. On the next block, two men, under the watchful eye of a uniformed doorman, strain to guide a piano—wrapped in grey blankets and foam—down a ramp from a truck, a surprise Christmas gift, so some Westside family can sing carols and tell how their daughter has a special skill.

"You believe in what we're doing, don't you?" Meyer turns down the radio a few clicks.

"I'm committed to the job," you say. "I mean, I think my statistics are strong."

"Look, if you don't believe in what you're doing, then you shouldn't be doing it. It's as simple as that. You approach a task with only tolerance—without any zest, it will cause discontent. Deep discontent."

"That makes a lot of sense." You have no idea what he's talking about.

"Of course it makes sense." Meyer chews violently on a cough drop. "I studied Eastern philosophy before law school."

You try to imagine Meyer with a family—playing Scrabble with his wife and their children in a well-lit room where their neighbors see them through a large picture window laughing and arguing over whether "xray" is an acceptable word. But the image is replaced with Meyer sitting alone in an olive-colored sweater vest and corduroys, deliberately pressing the heavy, uncooperative keys of a vintage typewriter.

“You sure you can handle this job?” Meyer stops at a red light. “Getting acquittals for criminals. That something you want on your conscience?”

“I believe in the Constitution.” You’re recovering a small bit, attune to the possibility of a harmonious conversation about law.

“Good for you, kid. Nice approach. Here’s the thing though,” he inhales deeply, “the fourth amendment, right to a fair trial, all that other crap sounds nice, but the reality is—if you want to stay in business for long—is that you got to be able to get the guy out of it. No matter what it takes.”

“I guess that’s true.” You wish that you were alone in the shower.

“Of course, it’s true.” He mutilates the remaining bits of the cough drop in his mouth and accelerates to a speed that must be thirty miles per hour over the speed limit.

“Do you always drive this fast?”

He brings the car to a stop and shifts in his seat so that he is facing you.

“Look, you want to be partner, you have to be willing to bend the rules a bit. You’re not afraid to get your hands dirty, are you?”

If you are an ethical person, go to page 32.

If you are not an ethical person, go to page 16.

If dirty litigation tactics or even withholding evidence meant that you would make partner, it's worth it. What's a small misdeed in the grand scheme of things? Good people break the law every day. Anyway, you're ninety-nine percent atheist.

Meyer slows the car to a stop in front of an Edwardian walkup on a tree-lined street near Wicker Park. "All right, here's what's going to happen. You're going to go upstairs to that flat, the upstairs flat, unit two, and have a look around. See if there's anything unusual. And place this device under his desk." He hands you a dime-sized microphone and a key.

"Isn't that burglary?"

"It would be if you *stole* something." He stares at you wide-eyed. "Christ, kid, don't steal anything. We'll be arrested."

"What would I be looking for?"

"Anything. You never know what these perverts are doing. He may have a Russian hooker chained up in the basement or a pile of blow on the kitchen table that he's selling to junior high school kids. Just keep your eyes open. Act like a concerned citizen."

A concerned citizen sounds reasonable. Kids shouldn't be exposed to drugs, you don't have anything against hookers (so long as they entered the country legally). And it makes sense that if you aren't going to steal anything, then there would be no burglary. On the other hand, wasn't there a question on the bar exam that breaking and entering with the mere intent to perform an unlawful act constituted burglary? Also, entering a house could be considered trespassing. And if

you broke something that would be vandalism or mayhem. All felonies. All punishable by imprisonment. All grounds for the loss of your law license.

“Whose house is it?” You regret the question as it’s leaving your mouth.

“Some guy named Peabody,” he says. “Dan, I think.”

“The attorney on the Mathers case?”

“Yeah, that’s the guy. Know him? He’s a real nutjob.”

“Now just hold on a second,” you say. “I think we need to think a minute about what to do here. I mean, I understand leverage but this—this is something else completely.”

Meyer picks up his mobile phone and dials a number. “It’s me. We’re at the subject’s place now. The kid’s antsy. Thinks we should do something else.” Meyer pauses. “No idea. I’ll check.” He swivels the phone from his mouth below his chin and looks in your direction as he raises his eyebrows.

“I don’t know,” you say. “Can’t we develop an alibi or something? Christ, before we break into and bug his house, you’d think we’d try to send over some under-aged boys and blackmail him or something.”

“Kid says we should send some teenaged hookers to his house and blackmail him.” Meyer pauses and laughs. “Don’t ask me. You’re the one that hired him. Well, what now? Want me to bring him back downtown?”

“Wait!” you say.

“Stand by.” Meyer cups his hand over the phone and looks at you. “Well?”

If you commit felonies, turn to page 19.

If you don't commit felonies, turn to page 32.

The street is quiet, save the hum of the streetlight where three nocturnal moths flutter and deflect off the rounded quartz lens. Cars mark every inch of the curb, tightly packed against one another, bumpers edging in front of driveways and blocking access to fireplugs. You look both ways down the street, tuck in your shirttail, smooth your hand through your hair and cross the street.

On the porch—lit by a single yellow bulb—two comparable, Victorian doors with stained glass face the street. A black, tin mailbox with seven hastily arranged letters that spell PEABODY is attached to the door on the left. Blue painted wood planks stretch to an open porch space where a rollback swing is suspended from two rusted chains and topped by a long, red cushion and striped throw pillows. A potted fern and two citronella candles cover an iron-topped console that stands against the side of the stucco building. A neglected bougainvillea encroaches on the porch through the space between the roof arch and steel hand railing. There are no visible stickers for alarm systems or security patrol.

You jiggle the key into the keyhole, twist counterclockwise, and grasp the doorknob before you quickly release it. A drop of perspiration slips from your right armpit, and then splits in three, each new droplet slaloming its own course along the side of your torso and finishing in the elastic band of your underwear. Something's wrong, a mistake. You should be wearing gloves to avoid the detection of fingerprints. You reach inside your coat pocket for a handkerchief to wipe the doorknob clean. But a moist crush of lemon glaze surrounds, and sticks to, your fingers. You instinctively flick the lemon square and napkin out of your hands on to the wooden planks of the porch.

Shame bubbles over you like unattended oatmeal. What series of events have caused you to be here on the verge of doing something unforgivable? Why didn't you have the confidence to go seek the company of a young attractive paralegal? Slow down, you tell yourself. There is no need for panic. Take a deep breath and organize a plan. Think. Be careful. Be meticulous. People are caught because they don't plan. Because they panic.

You're not going to panic.

With smooth forceful movements you systematically sweep the sole of your shoe across each wood panel so the yellow, gelatinous mass and its crumbs fall off the deck and into the bougainvillea. Inspection of the porch confirms that there are few detectable crumbs near the door or staircase. Now the issue of fingerprints. You unroll the thin polyester from your calves down over your toes, and then over your hands so they function as a glove. You balance on top of your shoes to avoid leaving a toe print and, one at a time, cautiously slide your bare feet back into your shoes.

But the lemon square sits in the open. A lemon square with a bite out of it. Isn't that how the criminals on those television dramas are caught? With no clues, the police prepare to close the investigation until a team member from the crime lab spots the corner of a lemon square beneath the dead petals of a bougainvillea. "Probably nothing," the plump-faced investigator says as he places it in a small, sterile plastic bag. At police headquarters a caffeinated scientist in a blue scrubs and latex gloves studies a rectangular glass plate of saliva through a microscope. Your saliva. And a short, brown, curly hair stuck to the lemon glaze. Your hair. A computer search for DNA reveals no matches. But what of the napkin that the lemon square

was wrapped in? Cops live for clues like these. Did the catering company monogram it? Of course it did.

Police detectives visit a bald, hardworking immigrant who is arranging four hundred cupcakes on to a tray for a New Year's Eve party. "We monogram all our napkins. Our paper cups, too," he says. "They say its good for repeat business. I don't know." The police ask him to check catering jobs for last night. The man types on a computer. "Saturday, Saturday, let's see . . .," he says. "Here we go. One job. The Christmas party at the McCarthy firm. Five hundred cupcakes." He pauses two beats and then says, "And five hundred lemon squares." There is a commercial, music—the metallic pop of a keyboard that sounds like ten thousand monks contemporaneously stomping their feet—and then two clean-shaven detectives in tan trench coats and polyester suits stand in your office with a Q-Tip.

"You don't mind if we take swab of your saliva, do you?" they ask.

You mind. You mind a lot.

If you try to find the lemon square, turn to page 22.

If you have the courage to call Greta at this hour, turn to page 23.

You climb over the wrought iron railing to cover your tracks. You grasp a handful of the moist soil along with the lemon square and the napkin and stuff the contents into your pants pocket. The coldness of the soil radiates through the pocket on to your leg. You climb back over the railing. Mud tracks on to the porch. There is likely now a detectable shoeprint. How, you wonder, does anyone get away with a crime?

Descended fog has marginalized your view of the street—Meyer’s car is not visible and the porch is as bright as a baseball diamond. A terrible loneliness suddenly exists, as if you were trapped in an ancient, abandoned museum with only the bones of woolly mammoth and a giant oscillating pendulum clock that loudly topples a thick wooden peg every fifteen minutes. A car door closes and a siren is heard in the distance. Your left temple beats in a rhythm of threes. *Tap, tap, tap.* Pause. *Tap, tap, tap.* A Siamese cat appears at the bottom of the front steps.

Now feels like an appropriate time to panic.

There is a new vibration, though it is not in your temple. It is your phone wedged somewhere between a muddy lemon square and a wet, disintegrating cocktail napkin. It could be your mother calling. But it could also be Meyer with new instructions, a warning to immediately flee the premises.

If you do your best to answer the lemon-glazed phone, go to page 23.

If you try to find Meyer, go to page 34.

“Where’d you run off to?” Greta’s voice loudly projects from the receiver.

“We’re all down at Shenanigans waiting for you.”

“Things are a little crazy right now,” you say, squinting into the darkness.

“Crazy?” says Greta.

DeVito is on the phone. “What’s going on? Have you been kidnapped? Does someone have a gun to your head? Say, ‘I went out of milk’ if you’ve been abducted.” Someone begins (poorly) singing James Brown’s “Hot Pants” in the background.

It feels as if you are being watched. You try to whisper but no words come out. A wave of perspiration is forming on your back. Is this the sort of behavior that is partnership material?

“Hello? You there?” Greta is yelling. “Listen, I can’t hear you. It’s so loud in here. I’m heading back to my place and—” the singer tries to hit a high note and all you hear is “see you later.”

See you later? Was that an invitation? In your current state of mind, it’s difficult to determine. You wish you had more experience with one-night stands. If you go to Greta’s place, turn to page 24.

If you decide to go for a walk to clear your head, turn to page 33.

Greta lives in a noisy studio apartment close to downtown that looks down on LaSalle Street. An elevated train rattles on the tracks in the distance. Closer, the doorman of the Hotel Leon blows his whistle for a cab. Someone inexperienced plays a brass instrument—not a trumpet, a French horn, perhaps.

Inside, a queen-sized bed abuts a beige wall with gashes of missing plaster. A speckled strip of worn linoleum on the opposite side of the apartment provides foundation for a dated kitchenette: an orange stove with blackened burners, a nonfunctioning dishwasher and a stainless steel sink that overflows with dirty dishes. Large pyramids of laundry and empty bottles of zinfandel cover much of the carpet. A television on a plank of timber between cinderblocks silently shows a western with Charles Bronson and Henry Fonda.

Greta sets a large bottle of tequila, a lime, a large serrated knife and two plastic cups on to a worn, cherry oak coffee table with a glass inset. From the second you walked into the room you felt altered, exhilarated. You knock back two tequila shots and chase it down with a forty-ounce bottle of malt liquor that has magically appeared on the table. You can't remember who suggests it, but at some point—as if it's the most natural thing imaginable—you decide to crush your Aderall and Valium tablets between two spoons, mix it with Greta's Percocet and take turns snorting the white conglomeration off the glass inset of the coffee table.

Greta leaps up and says, "Music!" and in a moment Radiohead plays loudly through a speaker near your ear while on the television Henry Fonda falls to the ground, dirtying his black shirt and hat. The heavy bass causes your heart to thump. The halogen lamp has a ring around it and the ceiling fan rotates at a glacial speed.

Greta hands you a blue pill, which you wash down with the rest of the malt liquor.
Charles Bronson shoves a harmonica in Henry Fonda's mouth.

The room is the perfect temperature, and you think about how productive you would be if it always were this temperature. You map out your week in six-minute intervals, a week in which you billed eighty hours at the office and still had ample time to write a screenplay, take piano lessons, exercise and spend leisure time with Greta. The two of you picnic, take walks, and go wine tasting. Periodically you notice that you are speaking aloud all of the thoughts that enter your brain and Greta laughs—her mouth wide, beautiful white teeth lighting up the room—then becomes stoic, and then laughs again at each thing you say.

The dirty dishes agitate you as do the crevices in the linoleum that are stained brown with mildew. You strip down to your underwear and scrub the floor with a mechanical mop and Brillo pad. Wringing out a mechanical mop in a bucket over and over, you shout, "I fucking love this!"

There is a jump in time and you are in bed looking at the cracks in the ceiling that seem to form a baby giraffe. Greta's smiling face comes into view. Questions come quick. Have you had sex? Who knows that you are here? Isn't the use of drugs grounds for termination?

"Hello, sunshine." Greta has a pill that looks like an Advil and a glass of water.
"Here. This will clear your head," she says.

If you take the pill, turn to page 26.

If you leave, turn to page 33.

In your apartment you awake with an awareness that you have been drinking heavily and have not slept long. Yet strangely none of the symptoms that typically accompany such behavior are present—no headache, dryness of mouth, upset stomach, or blurred vision. In fact, the opposite is true. Your vision is exceptional even though you are not wearing your glasses. You urinate, brush your teeth and stare at yourself in the mirror.

A powerful sensitivity to the world is present, an intuition never before experienced. “It’s 12:03 in the morning,” you say aloud, and one moment later you confirm that exact time on the digital clock that sits on the living room bookcase. You stare at the clock and say, “4,3,2,1,” and then yell, “now,” at the precise moment that the clock turns to 12:04. While toweling off, you mutter, “Beep-beep yourself, asshole,” right before a car honks its horn.

You think of your physics professor, Sheldon Hayutin, and his lecture on time dilation. Professor Hayutin spoke of atomic clocks onboard a Space Shuttle that ran slower than synchronized Earth-bound clocks. He explained that time stretches as space contracts. You had tremendous frustration concerning that principle and received a “C-” in the class. Professor Hayutin’s lecture is now crystal clear as is a fundamental mistake in his framework—namely, that to think of the universe as comprised of only four dimensions is shortsighted and obviously wrong.

Hairs on your arm stand at full attention, goose bumps appear. Blood rapidly distributes into your groin. This feeling coats your internal organs in the same way that your grandmother’s nakedness comforted you as a child when your parents separated. In the desk drawer you search for a pad of paper to write down your

conclusions. Your telephone buzzes on the coffee table. The caller ID is "Unknown."

There is also a knock at the door.

If you answer the door, turn to page 36.

If you answer the phone, turn to page 28.

“You know what a transorbital lobotomy is, Charlie?” Your father’s voice thunders through the phone. A sharp charge of pain runs through your head. “Fucking-A no, I bet you don’t. It was on the public radio this morning: Everything Considered. I don’t listen to that static usually, but with my back in a twist, I’m stuck in bed and it’s the only station that’ll come in on the clock radio without nonstop hissing. Listen to what I’m saying, Charlie. This witchdoctor out in California took an ice pick and brained this kid. Son-of-a-bitch jammed a rusty screwdriver right up through his eyeball and then jiggled. Like he was vibrating cement to pour over rebar. The jackass lobotomied a whole bunch of kids—problem children he says they were. Hyperactive or whatever the head doctors say they have now. Shitheads.”

You hang up the phone and inspect your fingernails, which are dirty with grease from finger foods. A few moments later the phone rings again from a blocked number. You answer.

“The doctors are the ones that are fucked in the head,” says your dad. “Do you understand that, Charlie? It’s a ruse. They put you in a white room with no windows and then after a few days of starving they ask, ‘Why you crazy?’ For the first couple days you say, ‘Get fucked.’ But then four months pass, your hungry, your eyes are dilated and some shrink-in-training comes in, removes her librarian glasses and says, ‘Are you feeling violent?’ You know the answer is supposed to be, ‘No’ except you start perspiring, and you tell her ‘I been in a goddamn white room with no windows for four months you dumb slut. What do you think?’ Then, she shakes her

head, scribbles some Latin word that means, ‘Yep, he’s crazy’ and you’re stuck in the place for six more months. Horseshit.”

You hang up the phone again. Your right leg bounces quickly and you feel queasy. Something you ate? You search your pocket for an Aderall and instead find a squished lemon square. The phone rings again from a blocked number. You hesitate and then answer.

“—radio guy decides he’s going to find out what kind of shape the kids are in. How’s that for investigative journalism? I could tell you without listening to another word what kind of shape they’re in. They’re fucking vegetables, Charlie. It’s simple chemistry. Hell, it’s simple cooking. You can’t scramble up half a brain, let it simmer under a Band-Aid and count on it turning out. I don’t even bake and I could have told you that.

“Here’s the thing, though, Charlie. This one fellow had an oversized melon, so when the kook did his drilling, the boy had some brain to spare. He’s kind of okay. He’s a tour bus driver in Santa Cruz. Out there with all the hippies. Isn’t that something—to have a piece of hardware jammed into your eyeball and still come out okay? I could tell he talked slow, you know? But he wasn’t drooling on himself and shitting his pants like the rest of the kids they interviewed. I mean, don’t get me wrong, I wouldn’t get on a bus he was driving, but he seems okay.

“Anyway, it got me to thinking about things a little bit. And I don’t know much about much. But if you decide you don’t want to do lawyering, then you can always drive a bus.”

You hang up the phone, feeling the revolutions of the earth. Immediately, the phone rings again from a blocked number.

If you answer the call, turn to page 35.

If you ignore the call, turn to page 31.

Morning. You awake worn out, but with a new sense of clarity as to who you are. Eighteen-hour days, the stress, the pressure. You need prescription medication, a therapist and personal trainer just to get through the day. You can't keep up this pace.

You tender your resignation, effective immediately, cash in your retirement account and purchase an antique shop that sells refurbished furniture, collectibles and other odd items, such as vintage dolls and glass blown fountain pens.

Your days are quiet, comfortable. In the mornings you jog at the high school track or play basketball at the public park. The shop opens mid-day. You price items, organize the shelves and sweep the floor. You sit on a stool behind the counter and drink coffee while reading detective fiction or watching European soccer on an old black and white television set. On Sundays you often go to swap meets and garage sales searching for collectibles that you might purchase and re-sell in the store.

There's an Italian deli three blocks away that serves a solid Reuben sandwich. You eat lunch there a few times per week. From time to time you see DeVito at the deli. He always cocks his head to the side says in a deep voice, "Pretty good sandwich, eh timekeeper 1331?" You make small talk with him for a minute or two. He politely says that the two of you should have a beer and catch up sometime.

THE END

“I don’t want to offend you,” you say, “but I have to be in the office early tomorrow. I’m going to grab a cab.” It’s an obvious lie but it’s accepted with a shrug and a look of mild disappointment.

You decide to walk towards Michigan Avenue. It’s warmer than you expect for this time of year. Still, the temperature is close to freezing and you lack the proper attire to walk far. Two cars speed past honking at one another. The cold air smells of rotting leftovers and sewage. What a dirty, angry place this town becomes at night.

There is a lack of commerce on this stretch of Atlantic Avenue but you know that the Orleans, a boutique hotel near Wicker Park, is only a few blocks away. You can take a cab from there back to your apartment. All the homeless people are gone. You wonder where the homeless people go who live in Chicago. Down to Florida to panhandle at the beach?

You stop at an ATM operated by a credit union to withdraw some money. The screen tells you that it will charge you three dollars for this transaction not including any fees that your bank will charge you. Your bank will charge you three dollars for this transaction. In total, it will cost you six dollars for the privilege of withdrawing twenty dollars of your own money.

Your phone is ringing again.

If you pay a six-dollar transaction fee, turn to page 33.

If you answer the phone, then turn to page 28.

Down the block there is a donut shop and Chinese take-out restaurant with a pink neon sign in the window that says NO MSG. Inside you enjoy order a \$6.95 three-item plate—chow mein, General Tsao’s chicken and Mongolian beef—and a fountain soda.

The food is delivered to a booth with an orange plastic bench and wood laminate table. How much longer will you have to do this job? Once you were a young, fresh-faced law student who didn’t care about salary or status or having a lifestyle. You wanted to improve the world. You wanted to enforce environmental statutes: to take on gas companies that illegally drilled into the ocean and to enjoin beverage conglomerates from continuing to rape the rainforest so they could sell bottled orange juice.

You used words like *justice* and *ethical*. You relied on public transportation. You boiled pasta and drank four-dollar bottles of wine with friends and stayed up all night talking about strange, crazy things, like the space-time continuum and alternate universes.

But then you graduated and suddenly that lifestyle became irresponsible. Professionals don’t clip pizza coupons or live in small studio apartments. They go to decadent bars with dim lighting and pastel colored walls. They order calamari with pesto sauce and drink eighteen year-old scotch. They wear designer clothes and take core fitness classes at multi-level gyms. On Friday nights they routinely go home with fit, Anglo-Saxon, like-minded professionals and experiment with mutually empowering sexual positions. They lead lives that are important.

You, too, are an urban professional. But your life bears little resemblance to those sorts of people. You know little about wine and nothing about contemporary art. You experience difficulty fitting into your jeans. You don't have regular intercourse on Friday nights.

On Fridays, you play with your cat.

Isn't enough enough?

If you call Wallman to tender your resignation, turn to page 35.

If you go home to think it over, turn to page 31.

“Hello? Hello?” the voice of Richard Wallman barks through the phone.

Someone sings “Satisfaction” by the Rolling Stones in the background.

“Hi, Mr. Wallman,” you say.

“Simpson? Is that you?”

“Yes, sorry that I-”

“For the love of Christ. Where the hell have you been? I thought you were with Meyer.”

“Let me explain about that. Mr. Meyer, I mean, well, ... sir, I think you should know that things became slightly complicated this evening.”

“Complicated is okay, so long as it’s billable.” He roars with laughter. “By the way, Simpson, I was meaning to mention your hours looked a little low last week.” You wait for a laugh but none comes. “We expect three thousand hours per year for a *junior partner*.” The words echo as if he was speaking into a large salad bowl.

“I don’t understand,” you say.

“You made it, you son of a bitch.”

THE END

Wallman and Meyer stand on your front porch in wool derby hats and navy pea coats. Meyer hands you your Florentine leather desk pad and places a cardboard Banker's box with SIMPSON written in black permanent marker on the side on to the rubber doormat. Poking out of the box you can see a framed photograph of your parents at the beach smiling, stupidly smiling. Your father in knickers and tank top and your mother posing in a Bettie "Hello Sailor" swimsuit.

Meyer's sedan is parked in the driveway with the engine running. Greta sits in the front passenger seat, staring forward. You remove your key card and identification card from your wallet and hand them to Meyer.

"Rule number one, Simpson," says Wallman.

THE END

HOW I MET YOUR FATHER

I first met Lew at the Owl Tree, a teahouse on upper 72nd with vinyl booths and burnt out chandeliers and freehand sketches of owls. He was on a sort of leave from his ship, from the war. Or maybe he was discharged by then. I can't remember. Things were different back then. I was thirty-four, restless and distressed that I hadn't started a family. I was working with a therapist—Barbara something, Rawlings or Rowland—who concluded (incorrectly) that I sabotaged relationships the instant they reached a deep emotional level, because I feared intimacy.

In the months prior to meeting your father I had ended my relationship with Greg, a thick, wide-shouldered Armenian man with a scar on his chin. Greg regularly used the shaka sign when he greeted anyone. A grown man “hanging loose.” Can you imagine? And he wasn't even Hawaiian! Before that, there was that awful Thad. He was intolerable at the movies. “Well, that's just silly” or “Why wouldn't you call the police?” he'd argue at the screen with an oily fistful of heavily buttered popcorn or milk chocolate malt balls.

Then, of course, there was Richard, with whom I resolved that things would be different. Oh, he was a darling. A long-legged New York ad man with an angular jaw and smooth voice. At his small studio apartment in Greenwich, he'd play jazz records and drink malted scotch in his tank top undershirt, creased wool trousers and cap-toed Oxfords. His formality was endearing though not thrilling in the way

that observing peculiar habits of a new partner can be. Still, after many weeks together, when I learned he was married, I was shaken.

“Write about it. Get it out of your system,” is what the therapist told me. So I attended a writing workshop in Vermont. The workshop didn’t help. The truth was that I hoped to meet a man there and the attendees were mostly pale-faced women with thick lipstick who had written essays—not on relationships, but on incest and abuse. When it came time to introduce myself I told a story about a time my uncle took me to the theater and reached under my dress. The story was made up but one of the four men at the workshop—a recovering alcoholic with narrow hips and poor posture who called himself Lonnie—said he was moved by the story and invited me to The Owl Tree.

The problem was that I couldn’t sustain the conversation. He was struggling to write the biography of some architect.

“Every time that I feel close to finishing, I discover a whole new avenue of this fellow’s life. I can’t just leave that out...” Lonnie was saying.

I returned to the conversation only when I realized that it was my turn to talk—either to share something personal or else respond to a question that I did not hear. He squinted at his Earl Grey tea, then at the Bare-shanked Screech owl etching that hung over our booth.

“What is it that you would like to talk about, Deborah?”

“Well, whatever we want,” I said. “Do you like movies? I saw a film last week. They were shorts, fifteen-minute clips actually. All set in Paris. In one, a young Dane turned into a werewolf.”

He stirred his tea and looked at me with a strange expression of amusement and hostility.

“Why don’t we have a little glass of sherry?” I said. “Let’s have a good time. Let’s—”

I can’t recall how I finished that sentence or the exact details of what followed. I remember only his eruption of anger when he threw his tiny spoon on the ground (he was one of those repressed sorts who felt the need to counterbalance his somber mood with fits) and then his loud proclamations about my character. “You’re *insolent*. That’s what you are.” And it was at that moment—as he softly stroked his Adam’s apple with his thumb (he was so delighted with himself!) and said, “I wonder if you even know what that means”—when across the room, in a booth sitting alone beneath a charcoal sketch of a vermiculated fishing owl, I first laid eyes on your father.

RULES OF ENGAGEMENT

I first met Georgie Lehman during the fall of 1950 when the 24th Infantry Division was handing it to the North Koreans at Osan. Georgie was a nervous, fragile, slack-jawed boy with knobby-knees and a mouth like a ferret. His father—a retired first lieutenant in the navy named Vince who demanded that his children call him “Coach”—thought that serving in Korea would mold his son into a brave, steely-eyed man. The sort of fellow who worked with his hands and could hold his liquor. “Mettle,” the Coach told Georgie. “That’s the true measure of a man.”

So the Wednesday after Georgie turned seventeen, the Coach drove Georgie down to Kings Point to enroll him at the Merchant Marine Academy. Georgie was fitted for a uniform, inspected for flat feet, made to swear under oath that he wasn’t a Communist, and then provided a sheet, pillow and blanket and assigned to Barrack Nine. There were twenty-four bunks for forty-eight mariners in Barrack Nine and Georgie was assigned to Bunk 12A—the mattress directly above me.

During the first two-and-a-half week indoctrination period—the “indoc” as we called it—Georgie and I did most everything together. We were fellow midshipmen in-training, comrades, confidants and, depending on the weather, five or ten other things. We shined our belt buckles and buffed our boots. We ironed our socks and organized our footlockers. We creased fourteen-inch folds in our crisp

sheets and tightly tucked wool blankets under our mattresses with forty-five degree corners.

At dawn, we shot out of bed to the bellowing voice of Colonel Algernon Montgomery and stood at attention—chest out, chin steady, arms locked at our sides. Colonel Montgomery, a garrulous, military-minded man (a colonial imperialist, really) with straw colored hair and deep wrinkles, strutted around the barrack in a tweed, double-breasted jacket, pressed khakis and a pair of black leather boots that shined like a lustrous Tahitian pearl. He scowled at us through his gold monocle, inspected our footlockers, challenged the chastity of our sisters, quizzed us on procedure and used tricky double negatives to expose our feminine side.

“You like to wear pink panties with ruffles, don’t you Private Cupcake?” the Colonel said.

“Sir, the Private prefers men’s briefs, sir,” said Georgie.

“You wear a bikini at the beach, don’t you Private Cupcake?” the Colonel said.

“Sir, the Private burns very easily, sir.”

“Looks like the best part of you ran down the crack of your momma's ass,” he said. “You ever heard of a medicated acne mask?”

“Sir, the Private has tried that, sir. But the Private’s skin is very sensitive and susceptible to rashes, sir,” he said.

“Jesus Christ on a cracker,” said the Colonel. “You’re about as fucking smart as a soup sandwich. Who’s your bunkmate?”

“Private Meyer, sir,” he said.

“Private Meyer.” He glared at me. “From now on you will be known as Private Pimple Popper. Do you like that name?”

“Sir, to tell you the truth I prefer Private Meyer,” I said.

“You will be responsible for bathing Private Cupcake. You will be responsible for grooming Private Cupcake. You will make sure that his face is free from pimples or any other skin condition. Do you like your new job?”

“Sir, yes sir!”

“I suppose you would,” he said.

And on it went. Ten-mile jogs at dawn. Push-ups till our arms failed. Midnight recitations of the soldier’s creed. All the while Colonel Montgomery hurled insults, asked us snarky questions, and re-named us with every derogatory nickname he could dream up for us—fairies, cowgirls, stick-slurpers, ball-ticklers, Nancys, Lindas.

Of course, we adored the hell out of him.

After indoc, Georgie and I received orders to help manage a base sixty miles south of the 38th Parallel. The base smelled of coal and mustard gas and was constructed along the coast of a shadowed desolate valley. A sprawl of unidentifiable, long neglected crops framed icy, unpaved roads scattered with pebbles and clods of unyielding honey-colored dirt. Further, toward the coast, small bays, jetties and long sandy beaches remained at a distance, their lushness ravaged by opportunity.

In the mornings we lounged around headquarters, read *Stars and Stripes*, drank watery coffee, and ate stale (or not quite defrosted) danishes. In the afternoon we braved the bitter Siberian air mass and stood in heavy government-issued coats

and jersey scarves, talking, smoking, stretching our backs and staring into the view of nothingness that seemed to expand in every direction from that God-forsaken place. We said things we had heard our uncles and fathers say. How politics had changed, how the lawyers-turned-legislators had no skin in the game, how the Republicans had mucked everything up, and how the Democrats didn't have the balls to fix it.

"Think Dewey would've tolerated this sort of violence?" Georgie said.

"Dewey? That old coot pees sitting down for his nephews. He was a *reserve*," I said.

We complained about the food in the mess hall. We bragged about high school football games. We told stories about the girl we left back home—my old girlfriend Amy who I cut loose when she couldn't name the last General to be President of the United States.

"She wasn't one of those big girls with man hands and whiskers, but she had a nice thickness to her, a meatiness. You like that sort of girl, Georgie?"

"I don't really know," he said. "I might."

"Well, it doesn't make a bit of difference, Georgie, and I'll tell you why. We were parked at the lake last summer. I was rounding second base, had my hand down her shirt and we were about to go all the way, but then you know what she says?"

"I really don't," said Georgie.

"Roosevelt!" I said. "I swear on my mother's mother that's what she said. Can you imagine?"

“I really can’t,” said Georgie.

“I handed her back her bra, rolled up the top on my Chevy and told her to look me up when she learns the proper chain of command.”

In the evenings, we met at the fire pit to warm up and drink hot chocolate while fending off the insects and loneliness. A few of the boys played some form of shuffleboard (the rules of which were never clear to me), while another contingent went in futile search of a thrill—to find a bar or hooker or some other quest that seemed as likely as discovering a woolly mammoth.

At nine-thirty sharp, we shut off the lights, climbed in our bunks and fell sleep to the sounds of the war—the faraway Iriomote cats purring in the jungle, the baritone pitched groans of airplane engines, and every creak, cough, hiccup and fart that could be heard in that barrack. All of us except for Georgie Lehman, who whimpered in his bed like a displaced lamb. A quiet rhythmic snort, followed by a rushed, wheezing high-pitched gasp that sounded like a brass tap bell on a hotel’s front desk. *Cluck, cluck, cluck, ding. Cluck, cluck, cluck, ding*, he sang until I knelt next to his bed and placed a comforting hand on his smooth, hollow chest while he fell asleep.

During air raids, I placed my head on his shoulder as tender as teenagers slow-dancing at midnight and whispered to him. “It’s just fireworks, Georgie,” I said. “Beautiful fireworks.” And every so often, when the moon gracefully dangled in the brilliant night and the stars sparkled like polished opal, I slid my hand beneath Georgie’s elastic waistband and provided him a little extra comforting.

That was our routine for ten of the months in 1951, and as far as I could tell things were going pretty well. (At least, as well as things can go in wartime.) Then, one afternoon, during a refueling stop—at a port on the eastern half of the Sonyang River to be exact—Georgie Lehman disappeared. Poof. Gone. Kaput. Sayonara. Bon voyage. Good night, good luck and God bless America.

We didn't know if he was on loan to the SEALs for an amphibious invasion at Incheon or outed as a Russian spy and secreted away in an underground prison in Poland. Hell, for all we knew he slipped overboard on a banana peel and floated to Phuket, where a group of shaggy-haired radicals with beards and guitars forced him to memorize the preamble to *The Communist Manifesto* and write angry poetry in all lowercase letters with titles like “nude kiwi” and “fuck monkey.”

It wasn't until many months later that we heard from Shep Schaffer—a signalman on R&R from minesweeping Wonsan Harbor—that while the rest of us were inhaling toxic fuel fumes and studying the heavens to get a running start on falling shrapnel, Georgie pilfered a dinghy and sailed far away from the soapy eggs and wooden bearclaws of our mess hall to a temple that housed artifacts from the Nara Period. According to Shep, the Coach's boy took a job at the temple museum—a *shôsôin*—as a part-time curator (and full-time deserter.)

Naturally, Georgie was castigated by our fellow seaman and labeled a pinko and a fraidy cat. It was hard to argue. Still, for long after my discharge—through law school and the time of my marriage when Deborah and I lived up near Fox Point in our old, Colonial farmhouse—I often pictured my doorbell ringing at three o'clock in the morning and Georgie standing on the porch. Clutching a ring buoy with raisined

fingers, a wet, sunburned, contrite Georgie Lehman explains that he's been floating about the Pacific, ensnared in storm swells and riptides, living off seawater and raw fish. "Come in, old pal," I say. "Come in."

But for the next four decades, nobody heard a word from Georgie. No postcards from Uido. No surprise appearances at our annual mariner reunion out at the Officer's Club in Chappaqua. No Western Union telegrams that began "Ahoy Fellas! -(STOP)-." No mentions in the "Where Are They Now?" section of Gordon Mumford's quarterly mailer *BlueJacket Odyssey*. Not a single peep until one evening last fall—nearly forty-seven years to the week that the 23rd Infantry's Regimental Combat team kicked the snot out of twenty-five thousand Chinese commies in the Fourth Phase Offensive—when I was working late at the office on the Mathers file and I picked up the phone to the familiar, apprehensive voice of my former bunkmate.

"Gosh darn it, it is the right number," he said. "It's me, George. George Lehman."

"Well, what do you know, Georgie?" I said a little louder than normal.

"I'm getting married, Lew," he said.

"Is that right?" I was prepared to suffer serious trauma—a lost pinkie certainly, maybe much more—to end this conversation.

"I guess that's the news," he said. "I guess it's about time."

"Isn't that great, Georgie. Congratulations!" I said. "Your father must be delighted."

"The Coach passed away," he said. "Two years ago this spring."

"I'm real sorry to hear, Georgie."

"I appreciate your saying that, Lew. I really do," said Georgie in a suddenly peculiar, distant voice that made it sound as if at any moment he might blow his head off with a shotgun.

"The Coach was a fine man, and a great soldier," I said and then shouted to an empty hallway, "Gloria, I'll need the Mathers file and a cab."

"The thing is, Lew, Scarlett's got a great big family—lots of actress friends, people who work at the theater and whatnot."

"I'll bet she does, Georgie. She's French, isn't she?"

"Full blooded Native American," he said.

"That makes a lot of sense, then," I said. "Look, I do have to—"

"Well, the fact of the matter is, Lew, the staff at the museum is quite small," he said.

"With payroll taxes the way they are, Georgie, I don't doubt it. They blame Eisenhower but you and I know it started with Truman."

"Mostly, there simply aren't a lot of people who are interested in working with Korean artifacts," he said.

"Boy, it's a different generation nowadays—a different generation altogether. Well, by golly, Georgie," I said in my best busy trial lawyer tone, "it's real great that you called—"

"I wonder if you might stand up next to me, Lew," he said. "Be my best man."

"How about that." I twisted the telephone cord into a tight knot.

“I know you don’t want to do it,” he said. “I knew that before I called. But it still would mean a lot to me, you coming out this way.”

“Don’t *want* to? What a strange thing to say, Georgie. I’d be delighted—honored is what I mean.”

“Listen, Lew. I wonder if you might also—”

“Hey, look at you, Georgie. You’re getting married!”

“—if you might also be willing to come up a few days before the wedding. You know, get caught up a bit,” he said. “About everything that happened in Korea.”

Everything that happened? The truth of it was (and I mean this in the kindest way) I didn’t care to participate in whatever segment of his twelve-step atonement that he had reached or “come to an understanding” concerning his desertion, or, for that matter, hear that he now enjoys soup for breakfast, bathes in a sento, and finds it liberating to yell “kampai!” before every shot of whisky. (Not that my needs appeared anywhere on Georgie’s sonar.) But for reasons that were not precisely clear to me, instead of saying, “Sir, no sir” and slamming down the phone or politely telling him to go fuck himself atop a lush hill in the Songnisan National Park, I heard myself say, “That’ll be fine, Georgie,” and three weeks later I got off a train in Blacksburg to the shiny, sixty-six year old face of Private Cupcake.

Georgie drove his sky blue Buick Cutlass, hands at ten o’clock and two o’clock on the deep-dish steering wheel, smiling and ardently talking—part historian, part botanist—about the mountainside that loggers had transformed into a crude formation of trees and stumps as jagged as a complex algorithmic problem.

Factorials and square roots carefully etched into the earth with giant sharp-toothed saw blades.

“See there, Lew? Those three rows of trees. One row’s red spruce, the second is balsam fir and third is mountain ash. The Hubbard family owns the property. Six generations they’ve maintained those.”

Each block brought me a new, deeper sense of hostility and self-pity and I began to imagine excuses that would allow me to leave—an emergency court hearing or a serious automobile accident that’d left a close family member in critical (but stable) condition.

“It’s just the damndest thing, Georgie,” I said in as earnest a tone as I could muster. “You remember seeing pictures of my sister Rachel, don’t you?”

“Boy, do I. She’s a beautiful, beautiful woman.”

“Right, well, she birthed four boys so she’s pretty washed out now. But I just got off the phone with her and it’s a bad deal, Georgie. The youngest one—Ashley Mae—who turned four this past Good Friday, twisted the key for the gas fireplace and struck one of those long, wooden fireplace matchsticks. Blammo. She’s got burns from her dimples all the way down to her scary spot. I don’t like having to cut this short. I just think that I ought to be there for the family. For my sister.”

But Georgie wasn’t troubled by Ashley-Mae or my brother Michael’s visit to the cardiologist for acute chest pains. All he said was, “Lew Meyer, you’re one of a kind.” Then, he shook his head and laughed and took right up talking about the countryside as if it was not littered with rusted washtubs and decaying railway ties but was a lush habitat of mysterious flowers and exotic insects.

Inside Georgie's house, he showed me his collection of rare vases and dark lotus teapots and delivered a monologue of each one's "strange and interesting" history—the sort of detailed presentation that made you wish your nephew had been savagely attacked by a billy goat. All the while there was no sign of his fiancée (or any indication that a woman had ever set foot in the home). Whenever I asked about her, Georgie dismissively waved his hand and said she "might be back later, probably not, so make yourself comfortable."

When the sun dipped below the ridge, we sat out on the Juliet balcony in the warm, minty air and drank tea and watched a trace of red brake lights dot the bowed highway—troops of scouts driving off to pitch tents, collect kindling and learn about maple-sugaring and young, happy couples on their way to the Mountain Inn to hold hands overlooking free-flowing waterfalls and rock-strewn clefts. That's when Georgie started in about feelings and the what-not.

"The thing is, Lew that since I've been back, I've been trying to get my bearings." Georgie's chin bore deep down into his neck and his terrified eyes inspected the sheen on the outdoor wood laminate. "You know, take stock of things."

I should clarify right from the get-go that I stopped taking stock of anything twenty years ago—right after Deborah and I separated. I was squaring the Juniper hedge in the side yard and had slid my goggles on to my forehead to assess the edges when Deborah came outside in a nude-colored bra and matching girdle and told me that I wasn't the man she'd hoped to marry. "We should attend a group" is what she said. The sessions—twelve women (and me) sitting on folding chairs arranged in a circle of a local playhouse dressing room—amounted to fifty minutes

twice per week of hand-wringing and complaining coupled with spurts of tears and phlegm, and a curly-haired librarian named Naomi, who spent the hour inhaling menthol cigarettes and responding to every comment by shaking her head and saying, “Shades of grey. That’s all it is. Shades of grey.”

The trouble was that a seaman’s first order is to never abandon a fellow mariner. So I sat and drank tea and listened while Georgie hugged a throw pillow, looked moodily into the distance and provided something that straddled the line between disgraced, remorseful refugee and unapologetic antimilitarist. He described the overbearing and volatile Coach, his nearly mute and valium-addicted mother, the close-mindedness of the armed forces, and a series of childhood illnesses—inner ear infections, tonsillitis, anemia, all topped off with a “wicked and debilitating” case of the measles.

Things came into perspective, however, when Georgie learned his father died (and that the Coach had invested well in copper and pork bellies). He decided to do the “sensible thing”—the exact details of which he was vague about, but they involved taking a cruise to Halifax under an assumed name and hitching a ride across the border in a convertible VW bug with three Sigma Chis on their way back to Dartmouth from spring break. Georgie had a “small concern” that the midshipmen over at JAG wouldn’t see his version of the last thirty-eight years in quite the same way. So Georgie decided to “stay mum” about his father’s estate, set up shop in Blacksburg and surreptitiously peddle toy spears, snow globes and polished rocks at a makeshift museum and educational center. “You understand I have to make a living, Lew?” he said. “I mean, I can’t just starve.”

The short of it (at least the part that seemed to directly include me) was that Private Cupcake needed a lawyer to negotiate some sort of deal that allowed him avoid court martial, inherit the Coach's estate—and minimize estate taxes if that was “in my bailiwick”—so that he could resume showcasing antique celadon ewers and selling Hello Kitty key chains for \$3.99. There are good strategies for representing these sorts of people. You just have to want to.

“I don't think my father ever forgave me for leaving the service,” he said.

“I'm sure he didn't,” I said.

“Sometimes I wonder if my father loved me.” Deep ripples spanned his forehead and bright cherry capillaries clawed through his cheeks.

“You were gone for thirty-eight years,” I said.

“It's more than the distance, more than the time.” He clasped his hand together and placed them in his lap. “Even when we were together. Sometimes, I felt like—I felt like he hated me.”

“I think I speak for every commissioned officer and seaman when I say that, we all hated you, Georgie.”

“I imagine that's about right, Lew.” He looked as abashed and hostile as an old German shepherd that had been left home for fourteen hours and made a mess on the expensive family Persian rug. “I suppose that's just about right. I suppose...I guess I was hoping you were going to be better about this.”

Needless to say, I regarded him as a complete fraud and I might've slurped up the rest of my tea, pressed my lips against his cauliflower ear and itemized each criminal violation of the Merchant Marine Code of Conduct before stabbing him with

a rusty Baekje letter opener and burying him in Old Man Hubbard's desecrated forest of eastern hemlock and black cherry trees. But I didn't. I didn't because, as strange as it sounds—even as jumpy and suspicious and thrilled (it isn't every day a war criminal has you for tea and sautéed kimchi) as I was—more than anything I felt a blend of hopeless astonishment and anticipation. The way you'd feel if last week the neighbor's newly licensed, sixteen year-old son ran over your picket fence with his new giant Dodge Ram truck and the following Sunday morning—you on the lawn in your plaid Bermudas, bright golf shirt and tasseled loafers (no socks), coffee mug in one hand, grip nozzle in the other, newspaper wedged in your armpit, admiring the contractor's handiwork and spraying leaves off the driveway—the kid skids to a stop (windows sealed and bass thumping at a volume that vibrates the garden hose in your hand) and he begins to reverse the vehicle directly into the second picket post.

“How about we get to the part where you stop bullshitting me?” I said.

He smoothed his trembling hand over his chest and lowered his voice. “I expect you figured by now that I'm not really the marrying type.”

“And I expect by now you've figured out that I'm not the forgiving type,” I said.

He pursed his rosy lips and nodded slowly. “I was hoping that you'd be better at this.”

“I was thinking the same thing,” I said.

“What do you think of when you hear the word relationship?” he said.

“Watching someone you love gradually disintegrate,” I said.

“I think about good things, about sharing a life—one without rules,” he said. And amid howling coyotes and a warm summer rain, he described one that he had in mind—ours. A lengthy infatuation period marked by Sunday mornings of dark blended gourmet coffees and safe, hygienic intercourse and reading each other articles from *The New York Times*. Productive conversations would lead to a deeper understanding of each other (which, I assume meant that I’d forgive him). We would sell the Coach’s house and move to a small loft, walking distance to an old village, its historic buildings refurbished and containing a wine bar, and three restaurants, one of which fused Korean dishes with French sauces. I would be a small town lawyer and a volunteer firefighter. He’d sell snow cones and souvenirs and whatever the hell else he had in that concrete box that he called a museum. We’d pursue hobbies in a way suitable for modern couples—the romantic history of wine, hot yoga, a night class at the University on foreign cinema. We’d take weekend hikes in the Smoky Mountains, spend a week in the summer at a Charleston Victorian B&B, host Fourth of July barbeques with bunting and hot dogs, read *The Art of War*, needlessly remodel the kitchen, and have a mahogany home office with built-in bookshelves, compasses and wooden ship steering wheels on the wall. It’d be a life without judgment (more absolution for Mr. L) and we’d communicate openly about “important” things that can “cripple a mariner” like seasickness and kelp.

As he told his fairy tale, long, curly locks of his hair slipped down from around Georgie’s ear and hung over his eye. He appeared boyish, almost innocent and strangely debonair. His eyes twinkled the same way that they would on cold nights at that bleak, barren, base in the Yellow Sea. All of which compelled me to

explain to the self-righteous deserter that he knew nothing about relationships and even less about redemption. That in the past forty years while he was lounging around some bathhouse reading tomes of Korean philosophers and searching for his boyfriend's clit, I was mismanaging a marriage, dealing with post-traumatic stress disorder and running a law firm of eighty people. Which is to not say that I lived my life well or better but that I lived it honorably and with as much effort and control as I could instead of passively whining about my Dad and expressing my disillusionment with the events at Bohai Bay.

Anyway, what sort of a person did he think I was? I mean, monkeying around in the galley was one thing. It was the war. We were in the middle of the ocean, surrounded by steel and seaweed and squeaking Eurasian otters. What choice did we have? Besides, I can't work in a museum. I have a job. I have responsibilities—a new lease on a high-performance sedan, four years left on my thirty-year mortgage, box seats to the Brewers. I'm the treasurer-elect of the Rotary Club for Christ's sake.

So I stood up, patted him on the chest, said *Ahn-nyoung*—which loosely translated is Korean for farewell old sport, talk to you soon (like maybe in thirty-eight years!)—and I charted out a new voyage for myself, with a destination hundreds of nautical miles away from Georgie Lehman and his soft, blonde hair and century-old, half-moon shaped bamboo combs. First to a brothel to have twenty minutes of well-lighted intercourse with a sturdy, wide-backed woman who didn't natter on about ceramic relics, and then home, where I'd drop anchor and return to things of importance and people that rely on me—my law practice, my honorably discharged friends, and my dyslexic nephew David.

I'll be goddamned if I didn't walk all the way to the fifth row of balsam firs at Hubbard's place before I felt my blood pressure rise and the wind go right out of my sails. I sat down for a spell and that's about the time I decided to take a little stock of my own. The more I thought about it, the more I came to the conclusion that Georgie and I have more in common than I like to admit. I didn't hate that teal colored 12th century celadon in Georgie's drawing room. He brewed a tea that was downright delicious. And as for the war, well, I suppose the thing that chapped my britches most about Georgie jumping ship—the only thing to tell you the truth—was that he didn't take me with him. Right about then I heard the voice of Colonel Montgomery say, "I bet you would." I stood at attention and proudly answered, "Sir, yes sir," and then I marched back over to Private Cupcake's kitchen where he was standing in his tiny penny loafers and his too-short-in-the-legs pajama pants, and I looked old Georgie in the eyes and I asked him if he might consider once again bunking with an old sailor like me.

IN RE MARRIAGE OF PEABODY

MARITAL SETTLEMENT AGREEMENT

(WIFE'S ORIGINAL DRAFT)

This Agreement dissolves the marriage of Daniel Peabody (hereafter "Husband") and Greta Rose Peabody (hereafter "Wife"):

WHEREAS, the Peabodys met at the law firm of McCarthy, Winnett & Snyder LLP, a place where Husband was terminated for insubordination.

WHEREAS, the Peabodys were married on July 14, 2001, in Milwaukee, Wisconsin. Despite the best efforts of the Peabodys, irreconcilable differences exist and the Peabodys have decided to end their marriage.

WHEREAS, all property, real and personal, will be divided equally. Husband will maintain sole custody of his fifteen year-old daughter Piper (hereafter "Daughter.")

Dated: _____, 2013

By: _____
Greta Rose Peabody, Petitioner

Dated: _____, 2013

By: _____
Daniel Peabody, Respondent

MARITAL SETTLEMENT AGREEMENT

(HUSBAND'S FIRST REVISION)

WHEREAS, Husband is disappointed but not surprised to receive Wife's divorce petition, for even though the Parties had agreed to "work on their issues" Wife has been determined to remain unhappy.

WHEREAS, by "recent events" Husband assumes that Wife is referring to their September 17 date when Husband arranged to celebrate their anniversary at a casually elegant steakhouse (hereafter "The Anniversary Date").

The Anniversary Date

WHEREAS, Husband hoped that the evening would bring the Parties closer together, back to a time when Wife smiled without pursing her lips and didn't sigh and roll her eyes in response to Husband's jokes. But Wife's hunched posture and the symmetrical "o" that her mouth made while she gazed about the restaurant made it clear from the moment Wife arrived that she had no intention of enjoying herself.

WHEREAS, the steakhouse offered many delicious appetizers and entrees. Nevertheless, Wife claimed she "couldn't find anything on the menu." And even after the manager said that the chef would prepare her a special meal, Wife scratched at her strange, conical breasts and muttered, "I'm not hungry. I'll just have water."

WHEREAS, because conflict can be a springboard to a stronger relationship and happier future, Husband attempted to communicate with Wife. He said, "What's the matter, honey?"

Wife said, "I didn't say anything was the matter."

Husband said, "Well, there must be something the matter."

Wife said, "I think you know what's the matter."

WHEREAS, Husband is not a mind reader.

MARITAL SETTLEMENT AGREEMENT

(WIFE'S FIRST REVISION)

WHEREAS, the Parties did not dine at a “casually elegant steakhouse” for their anniversary. They met at “The Loose Moose Roadhouse,” a fast-food establishment that is home to the \$1.99 “Bacon Chili Beast” and fifty-cent “Sumo Dog.”

WHEREAS, Wife was disappointed that Husband selected “The Loose Moose” but was committed to having a happy marriage. Take it slow, she told herself, and listen—really listen closely for a change—and don’t blank out on Husband’s words or search his face for things that are irritating. Yes, there were things not to like about his appearance. The grey, corrugated skin beneath his beady eyes. His sinuous nose that made him resemble a malformed Chinese pug. But it was this sort of malignant self-love, this preoccupation with others’ irreparable flaws that had funneled Wife into this lonely space to start with. And for a moment, Wife felt relaxed and she smiled and she felt happy. But then, Husband started talking.

WHEREAS, as the waitress (hereafter “Waitress”) approached the table to take the Parties’ order and Husband placed his palm against his cheek and said loudly to Wife, “Get a load of this sausage jockey, will you? DeVito’d have a field day with this one.” Then, as if nothing had happened, Husband (who has high cholesterol) ordered a “wicked” chili schnitzel, a Beast burger “doggy style,” a “giant” curly cheese fries and a forty-two (42) ounce Mountain Dew. Wife was so mortified all she could do was order water.

WHEREAS, when Waitress delivered the food, Husband smiled and said, "So, where's the party tonight, sweet cheeks?"

Waitress said, "I wouldn't know."

Husband said, "Party girl says wouldn't know. A-ha! Did you hear that?"

Waitress, said, "Look, I'm only seventeen so—"

Husband snickered and said, "Uh-oh. Red alert! Red alert! Jail bait! Jail bait!"

After Waitress left the table, Wife began to cry. Husband (with his mouth full of "Beast") said, "What's the matter? You don't like chili?"

WHEREAS, Wife became a pescatarian over eleven years ago.

SETTLEMENT AGREEMENT
(HUSBAND'S SECOND DRAFT)

WHEREAS, Wife's characterization of Husband's behavior during the "Anniversary Date" is simply a transparent attempt to deflect her own idiosyncratic (and often hostile) treatment of individuals in the hospitality industry.

Cuppa Go

WHEREAS, after the Parties finished eating at the steakhouse, Wife stated that she had a migraine because she "hadn't had her latte for the day." Husband offered to buy Wife a latte at Cuppa Go, a mid-town coffee house that uses small-batch roasted beans to handcraft high-quality espresso.

WHEREAS, when Wife ordered a vanilla latte she asked the server—a Caucasian male, whose eyebrow was pierced and wore a black shirt and a nametag engraved, "Van"—where the coffee beans were from.

"Um, I think they're from somewhere cool—like Vegas or maybe Egypt," said Van.

"Are they fair trade?" said Wife. "Because I won't drink it if the beans aren't fair trade."

"No doubt. It's a fluid situation over there," said Van. "Civil war and such."

"Excuse me? There are people—oppressed people, children—who are *suffering* so that you can have a job and serve espresso," said Wife. "Do you understand that?"

"It's all good," said Van.

"No, it's not all good," said Wife, "until I know where these beans came from."

"Wow. You're like super intense," said Van.

"Do I need to ask for the manager?" said Wife. "Because I will. Are you smiling? You know what? I think I do need to see the manager."

"Yeah, I'm sort of the only one here right now, so..." said Van.

WHEREAS, the exchange became so uncomfortable that Husband excused himself to use the bathroom.

SETTLEMENT AGREEMENT

(WIFE'S SECOND DRAFT)

WHEREAS, following the steakhouse dinner, Wife had the impulse to apologize to Husband, to tell him that she wished that things were different and that their marriage contained something substantive, something meaningful—magical even. But then Wife has been pretending with Husband since their wedding day. That cold, wet day she stood at the window of the musty community center and watched the magnolia leaves and evergreen boughs symmetrically sprayed on the bridal archway crumble.

Next to her in his tight fitting, unkempt tuxedo, smelling of a failed lawyer, and eating potato chips Husband said, “What a pisser. Welp, whaddya gonna do, eh? Should we get on with it?”

Cuppa Go

WHEREAS, Wife decided to tell Husband over a cup of coffee that she wanted to separate. However, before Wife found the proper words, Husband’s daughter Piper (hereafter “Daughter”) sat down at their table and began speaking to Husband about a person named “Rita.” Daughter expressed that she was “so over it [with Rita]” and that the “shit was about to get real.”

At a pause in the conversation, Wife stated that she had something important to say and inquired how much longer Daughter expected the conversation to last.

“Oh my God. That *just* happened. I so wish Mohican was here,” said Daughter.

“What is Mohican?” said Wife.

“Did you really just ask me that? Mohican’s my *boyfriend*. Hello? We’ve been together since like forever.”

“I knew that,” said Wife. “He’s in your Spanish class.”

“Seriously? Mohican is in *college*. Hello? How do you not know that? And, I’m not even taking a foreign language yet. I’m in eighth grade. Duh.”

“I guess I got confused.”

“So ironic,” said Daughter.

Husband made no attempt to address the displaced anger Daughter exhibited towards Wife. Instead, (like he always does) Husband avoided conflict and excused himself to use the bathroom.

Wife said, “Look, I know I’m not your biological mother but I’d like us to be closer, to share things. Do you think that’s possible?”

Daughter looked Wife in the eye and said, “You’re a total tool, you know that?”

The waiter, a petulant snot named Van, refilled Wife’s coffee and said, “Oh snap.”

Daughter said, “I know, right?”

Wife said, “Suit yourself.”

A few moments later Daughter said, “I’m on the pill. What are you going to do about it?”

Wife said, “I don’t know. Well... I guess it’s good you’re on birth control. Have you spoken to your dad about that?”

Daughter said, "Oh my god. Really? I mean, really?" Then Daughter lit a menthol cigarette and said, "Anyway, Mohican and I don't even want to have a baby right now. I mean—hello—I'm still in middle school."

WHEREAS, Wife and Daughter sat in silence for approximately ten minutes until (with no pending question or gesture by Wife) Daughter stared at the exposed beamed ceiling and said, "Whatever."

JOINTLY DRAFTED FINAL MARITAL SETTLEMENT AGREEMENT

WHEREAS, the Peabodys would not have a happy marriage, and the facts clearly establish that the reason was Wife's terrible attitude.

WHEREAS, the preponderance of the evidence—evidence not marked by lies and speculation—confirms that the Peabodys' marital problems spring from Husband's failure to take responsibility for his own happiness.

WHEREAS, the real problem, when you get down to it, is that Wife doesn't want to do anything fun any more, like go to movies or have game night.

WHEREAS, Wife is fun. She just doesn't have people over because every time the Parties entertain Husband embarrasses Wife.

WHEREAS, Husband's embarrassing? Whenever Wife's sister comes over for dinner, Wife sits on the couch with wine and mutters things like, "Jesus. Talk about affected" or "That's what you say. Botox much?"

WHEREAS, we could go out, of course. But then every time we do, Husband regularly leaves a 5% tip at restaurants, and then when anyone calls him on it, he tries to laugh it off and say, "What? What? I was told there would be no math."

WHEREAS, Wife never recycles. She'll say, "Global warming? What difference does it make—we'll be long dead. Anyway, it gives those old Oriental women with paper hats and sticks something to do."

WHEREAS, Husband isn't registered to vote.

WHEREAS, Wife voted for Bush. The young one. Twice.

WHEREAS, Husband has dandruff.

WHEREAS, Wife (who reminds people all the time she has a Master's degree) frequently misspells "your" even though Husband has explained hundreds of times that "your" is a possessive pronoun and "you're" is a contraction of "you are."

WHEREAS, you're fat and stupid. (Am I using it right, Danny?)

WHEREAS, Wife wears jeans so tight a layer of fat spills over her waistband and her torso resembles a sugary baked good (hereafter "Wife's muffin top").

WHEREAS, one Saturday afternoon Wife found Husband dressed in a corset and stockings. Husband first said that he "thought it was a t-shirt." Later, Husband said he was going through a "confusing time" and blamed the Halloween he was a Scottish bagpiper and his mother forced him to wear her cream blouse and red plaid skirt.

WHEREAS, Husband thought we agreed never to talk about that.

WHEREAS, Husband thought wrong.

WHEREAS, if that's how it's going to be, then everyone should know that Wife's first husband ("Robert") disappeared in 1997. When asked about Robert, Wife only says he's "missing" or "he left."

WHEREAS, Husband kisses his stepmother on the lips and likes to tell people that they are "very close."

WHEREAS, Wife was the last person who ever saw Robert alive.

WHEREAS, Wife once slept with Husband's best friend, Mike DeVito.

WHEREAS, although an investigation into the disappearance of Wife's first husband was never opened, the police say "they will consider any evidence of foul play [by wife]."

WHEREAS, Wife is pregnant.

WHEREAS, if you have information that Wife murdered her first husband, please contact the local authorities.

WHEREAS, I said, Wife is pregnant.

WHEREAS, wait, what?

WHEREAS, "Oh my god. That just happened. So ironic."

WHEREAS, zip it, Piper.

WHEREAS, time out. How did this happen? Who—I mean, do you know who the father is?

WHEREAS, excuse me? Your (sic) saying what exactly—that I'm some sort of what?

WHEREAS, I'm not saying anything—it's just that you said that you with Mike and, anyway, weren't you on the pill?

WHEREAS, I was on the pill, but it caused bloating so I went off of it.

WHEREAS, don't you think that would have been worth mentioning?

WHEREAS, oh, I see. Now you want to tell me what I can and can't do with my body.

WHEREAS, I'm not saying that. I guess I'm just in shock is all.

WHEREAS, well, you better get unshocked, mister, and take some responsibility.

WHEREAS, right, OK. Let's see. I guess I don't really know what to do. Should I cancel the movers?

WHEREAS, oh for Christ's sake. Do whatever the hell you want.

Loss of Affection

The day after Vic turned seventy-three his wife told him that an egg had hatched inside of her skull and that a baby woodpecker was trapped and trying to peck its way out.

“I can feel it,” Shelia whispered. “It wants to fly.”

Vic made a big show of inspecting Sheila’s ear. He retrieved a flashlight from the kitchen drawer and shined the light around the side of her head and inspected her nostrils.

“It’s gone away now,” he said to try to quiet her. “The baby woodpecker has flown away.”

But over the next several weeks, Sheila’s symptoms worsened. On a Tuesday evening when he was in his high-leg recliner watching the Brewers game, she looked at him as if she was seeing him for the first time and said, “You’re my baby woodpecker.”

Eventually, Shelia’s three children—Clive, Ruby and Roger—convinced Vic to take her to a neurologist. Dr. Broth diagnosed her with early onset of Alzheimer’s disease.

“Her father lived till he was ninety-two,” argued Vic.

“It’s her mind, not her body.” Broth was still on his first marriage and had a full head of hair.

"You're saying she's a vegetable. One day her checkbook is perfectly balanced and the next she's a jabbering leper? Is that how it works?" Vic removed a framed diploma from the wall and closely examined it.

"Let's not get ahead of ourselves, Mr. Rasmussen." Broth swallowed and crossed his legs. "Her quality of life can still be maintained at a high level."

"This morning I found her stuffing popcorn kernels in her ear," said Vic. "She thinks she's a goddamn walking aviary."

"Some behavior may seem unusual." Broth lifted a brochure off his neatly organized glass desk. "However, there are some safe facilities where she can be cared for on a full-time basis."

"You think I don't understand how you people operate? With your Medi-Care schemes and co-pays," Vic said. "Rest homes, dialysis, oxygen tanks, prescription drugs. All to keep us alive so you can bleed every last dollar."

Broth's face reddened. "I know it's a difficult time."

"Elder abuse. That's what this is." Vic walked toward the door. "It's reprehensible."

The doctor's diagnosis made no sense to Vic. The week prior to Sheila's first episode she had shopped at the grocery store, written Valentine's Day Cards, organized a scrapbook, and walked around the neighborhood. All had occurred without any hint of forgetfulness.

Vic researched home allergies and decided to hire an environmental consultant named Willie Winkler to perform an inspection of their home. Winkler was an older man, around Vic's age, with a grey goatee and sad, blue eyes. He walked around the property with a camera and screwdriver as deliberately as a forensic scientist. He chipped paint off the bedroom and living room walls and sealed the scrapings into small, sterile, plastic bags. He filled test tubes with water from the kitchen and the swimming pool. He dug a weed out of the lawn and loaded it in an iron cylinder. When Winkler finished, he told Vic that he was taking all the specimens to a laboratory for analysis. Four hours later Winkler returned and told Vic that the tap water from the kitchen faucet contained a dangerous level of lead.

"It's a code brown, chief. Class fourteen type stuff. Eight times the recommended level." Winkler paused to let the information seep in. "Every glass of water you drink—it's the equivalent of eating six number two pencils."

Vic rubbed his temples and tried to make sense of the statistics.

"Been feeling down?" asked Winkler.

"Just a bad taste in my mouth. That's all." Vic swallowed.

"Joints a little sore?" Winkler worked the toothpick deep into the slot between his lateral and medial incisors.

"I have arthritis," said Vic.

"I would expect so." Winkler turned on the kitchen faucet and rubbed his thumb against his index finger beneath the water. "It's thick, chief. Man, is that stuff thick."

"But I've been drinking water from the tap my whole life," said Vic.

Winkler placed his hand on Vic's right shoulder and whispered in his ear.
"And that's the way they'd like to keep it, too."

Vic considered the densely packed blue binder that Winkler had left on the kitchen table. A university study concluded that lead contamination was the number two health-risk associated with a home and could cause more health problems than asbestos and mold combined. A Swedish doctor called lead a "silent killer" that could cause non-Hodgkin's lymphoma, kidney failure, and even death. A pamphlet identified the DeVito Law Firm as a pioneer of water safety laws and contained a collage of glossy color photographs: an elderly couple staring suspiciously at a glass of tan colored water; a person climbing down a manhole wearing a yellow spacesuit and a breathing apparatus; a naked, malnourished child in Darfur; and a powerful mahogany gavel above a toll-free telephone number.

Over the next few days, the more time that Vic spent with Sheila, the angrier he became. Vic had paid his water bill on time every month for the last three decades. And now he was caring for a drooling invalid that hallucinated about cartoon characters and fixed sandwiches with peanut butter and ketchup. Wasn't the bargain with the city water company that Vic would pay the bill and in return the city would provide safe, clean drinking water? And if the water wasn't safe why didn't the city ever tell Vic that?

Vic reviewed the fee agreement in the binder. The contract explained the lawyer's no risk guarantee: legal services would be performed free of charge and the only cost to the client would be incidental costs and expenses associated with the representation. Vic signed and returned the fee agreement and the next day a

messenger delivered a package with a document showing that Mike DeVito filed a claim against the city for lead poisoning and contamination of public drinking water.

Vic favored a quick settlement over protracted litigation. And when the city offered him one hundred thousand dollars to drop the case, he wanted to accept it. But what DeVito told him was: Compromise is for cowards. Justice, the lawyer said, isn't that what this lawsuit is about?

Vic had moved to Ottawa during the Korean War but he considered himself a brave man, certainly not someone who feared taking a chance. He also thought about the multi-million dollar verdicts that he read about in the paper for lawsuits that seemed innocuous—hidden twenty-dollar fees charged by banks or some fellow who lost his finger in an elevator. Those paled in comparison to Vic's circumstances.

When it came Vic's turn to testify at trial he embellished parts, left out certain details and, then—after he achieved a measurable degree of comfort on the witness stand—he invented stories that he believed might cause the jury to find him sympathetic.

"A man from the Department of Water and Power would come by the house and read the meter every so often." Vic repeated the words from memory.

"I don't suppose this man ever mentioned that taking a shower might cause cholera, did he?" asked DeVito.

"I don't remember him saying anything like that."

"Now, I've observed that Sheila has some challenges associated with swallowing," said DeVito.

“She drools.” Vic remembered to make eye contact with the jury.

“I’ll bet you go through a lot of washcloths,” said DeVito.

“You can say that again,” said Vic.

The lawyer placed a large cardboard blow-up with photos of laundry detergent, bleach, and fabric softener on an easel. “This stuff isn’t cheap, is it?”

“We spend a lot of quarters at the Laundromat,” said Vic.

“I bet it’d be nice to have a portable dental air compressor to siphon some of that saliva out of her mouth, wouldn’t it?” DeVito held up a rubber tube attached to a motor in the air.

“I guess things would be a little easier if had I been a dentist instead of a furniture salesman,” said Vic.

“Would have been a little easier, too, if the city hadn’t deliberately poisoned your wife?” asked DeVito.

The lawyer had told Vic to include his own personal claim in the lawsuit, a claim for loss of affection. The way that DeVito explained it, even though he wasn’t sick, Vic was just as much a victim as Sheila. Vic had been cheated out of love and companionship.

Vic confided in DeVito that their relationship hadn’t been physical in many years. And, because Vic snored, they had separate bedrooms. The lawyer said that was a good thing, jurors didn’t want to hear details of old people’s lovemaking. He provided Vic with a list of activities to memorize that he had been looking forward to sharing with Sheila. The list contained small, happy moments such as candlelit

dinners, leisurely strolls in the park and the joy of adopting a puppy, and other, larger dreams like visiting the Great Wall of China and moving to the Cape to operate a bed and breakfast. Vic told DeVito that he didn't like pets or traveling, but the lawyer told him that wasn't important either. All that mattered was that Vic established that his wife's condition had caused him harm.

On cross-examination, Dick Wallman, the city's attorney, asked Vic pointed questions about his sex life, including whether he had ever had an affair. Vic's fidelity was relevant to his claim of companionship, the lawyer said. Initially, Vic was evasive as to questions concerning his fidelity. He offered hearty chuckles and ambiguous responses such as *I don't know that statement to be true* or *Now that's quite an idea you have there, counselor*. But as the lawyer persisted in investigating this subject, Vic changed his strategy and in an attempt to stop counsel from asking those questions went on the offensive.

"I've told you in a dozen different ways that I haven't been disloyal. Yet you refuse to stop asking these questions. It's demeaning to you. It's demeaning to me." Vic cleared his throat and counted in his head to five. "And it's demeaning to these fine folks on the jury. I won't tolerate it any longer."

"You are familiar with one Jennifer Rothman, are you not?" asked Mr. Wallman without missing a beat.

Vic pinched his chin and scrutinized the ceiling as if it was a sixteenth century fresco commissioned by the Pope.

"Let me see if I can refresh your memory, Mr. Rasmussen. Jennifer Rothman. Blond, leggy, likes Moroccan food." Wallman turned a page in his green binder.

“What else? Ah yes, she’s been on your bowling team for the past ten months.

“Ringing any bells yet, Mr. Rasmussen?”

Wallman submitted into evidence a rambling telephone message from Vic to Rothman bemoaning Sheila’s lack of athleticism, a thick stack of scorecards from Kirkwood Bowl that showed Vic had never broken one hundred, and a clumsily crafted, forty-four syllable “haiku” about tragedy and coincidences and the self-consciousness a person can develop over a Morton’s toe.

The Rothman hiccup aside Vic was optimistic that science would prevail over emotion. But when it was Winkler’s turn to testify things only became worse.

“Isn’t loss of speech routinely caused by unfulfilling relationships, like for example a woman trapped in a lifeless relationship with a pathological partner,” said Wallman.

“Could be,” said Winkler. Then, he repeated the line he gave Vic about number two pencils.

“Now, tell us doctor—you are a doctor, aren’t you?”

“Not exactly.” Winkler adjusted in his seat.

“A scientist?”

“I’m a linguist.”

“A linguist? Now you’re not going to tell us that King George went mad because he chewed on erasers are you?” asked the city lawyer.

“King George wasn’t actually mad. He faked most of his symptoms,” said Winkler.

“How disgraceful.” Wallman stared at Vic.

During closing argument the city's lawyer called Vic a deeply flawed, balding lothario and challenged Vic to remove his shoes and socks so that the jury could inspect his feet.

The jury's verdict was an award of four hundred thousand dollars for Sheila's claim and zero for Vic's lost affection claim. When a thick envelope from Devito's office arrived at the house, Vic anticipated that after deduction of the lawyer's contingency fee, Vic would net a recovery of over two hundred thousand dollars.

"Horseshit." Vic placed his reading glasses in his shirt pocket and tossed the invoice on to the wooden desk for his stepchildren to inspect.

Clive underscored each line slowly with his index finger and then slid his finger across the page to the column of expenses that the lawyer claimed to have incurred for each task. Clive was Sheila's oldest son, a short man with thick forearms who wore deep v-neck t-shirts and put bacon on his oatmeal.

"I don't understand." Clive said. "We owe money? How can that be? We won the case."

Vic explained that the last page of the invoice showed that although the verdict was in Sheila's favor, the lawyer had incurred four hundred thousand dollars in expenses.

"Expenses?" said Johnny. "For what? A few legal pads and some photocopies?"

"Seven hundred dollars for a notary. Three thousand dollars for messenger services." Clive read from the invoice, his pitch rising with each cost. "Six hundred dollars for facsimile transmissions."

"Who faxes anymore?" said Ruby.

"Put it in a stamped envelope," said Johnny. "Thirty-nine cents. It'll be there tomorrow."

Sheila blinked from her wheelchair and attempted to adjust her posture.

"Remember Wink? The environmental expert?" Vic took the invoice from Clive. "Listen to this? Sixty-six thousand dollars."

Sheila spelled "JE" on her whiteboard. "Yes, yes, the Jew." Vic removed the red chisel-tip marker from his wife's hand and placed it on the wet bar.

"But his testimony didn't even help us," said Ruby.

"Help us? Christ. If anything it hurt us," said Clive.

"He was a fruitcake too. You know that don't you?" Vic said.

"DeVito told you that?" said Johnny.

"Well, he wouldn't confirm it." Vic walked in a circle around the couch. "But he wouldn't deny it either."

Sheila squinted and pinched her right ear lobe.

"They pump you up with hope, get you into the system, and then saddle you with costs." Vic mixed himself a White Russian. "Sons of bitches."

"I'll tell you what there should be a law against," said Clive. "Lawyers, that's what."

"Why would DeVito tell you to take the case to trial when there were all these expenses?" asked Ruby.

"You strong-arm DeVito is what you do," said Clive. "Put a little scare in him."

“Don’t you dare,” said Ruby. “We had a thing with the house last year. Tell it Johnny.”

Johnny had been married to Ruby for six years. He had a freckled, pale complexion, a prominent forehead and a neck like a reticulated giraffe. He worked two jobs part time: as a driver for a boutique hotel and physical education teacher at the elementary school. Johnny exhaled and shook his head.

“We had a Hispanic guy—one of those that stands in front of the home improvement center. I picked him up and had him do our linoleum in the powder room out back.”

“The bathroom in the pool house that Johnny built as an add-on,” said Ruby.

“Well, I come home,” said Johnny, “and the way this guy’s installed it, the lines in the linoleum are crooked. They run at about an eighty degree angle.”

“Johnny measured the walls wrong when he built it out,” said Ruby.

“The dimensions are a bit off, sure,” said Johnny. “But this fellow rolled out the linoleum from the back wall instead of from the door. So when you walk into the room, you’re leaning left.”

“It gave me a migraine,” said Ruby.

“One night after Ruby got out of the shower she blacked out,” said Johnny.

“I was on a new anti-anxiety medication,” said Ruby.

“I knew this guy was working down on those new condominiums, the ones off North Point with the brick façade?” said Johnny. “So, I drove over and told him, ‘Listen fella, my wife’s got vertigo over this deal. You got to do something. She could drown.’”

“I didn’t use the hot tub for a week,” said Ruby.

“Well, he starts in with the ‘No habla English’ stuff that they try to pull.” I say, ‘Look fella, I wasn’t born yesterday. I took two semesters of Latin at the City College.’ It was when I had to do night school for my certification.”

“He failed the first class,” said Ruby. “He used an extra-soft number one pencil to bubble in the Scantron.”

“I don’t know about pencils, OK? It’s why I’m the P.E. teacher and not the science teacher,” said Johnny. “Well, this son of a gun is standing there in cut-off jeans and an unbuttoned flannel shirt holding a hacksaw. It’s one hundred degrees if it’s a degree above freezing so he’s covered in a layer of sweat.”

“Tell them what he does,” said Ruby.

“He puts down the saw and picks up a hammer and stares at me. Figures I’m going to leave. But I told him, ‘I’m not afraid to get physical.’ And I wasn’t – I’d boxed Golden Gloves when I was younger,” said Johnny.

“‘Irish’ Johnny Flynn is what they called him,” said Ruby. “The only fights he lost were the ones I wasn’t there for.”

“So after a full minute of us staring at one another, I finally say, ‘What’s it going to be, tough guy?’”

“He hit him right in the side of the head with that hammer,” said Ruby.

“I have a permanent dent there.” Johnny leaned in so that they could see the area above his ear.

“Christ,” said Clive, “we’re not talking about some sociopathic day laborer.”

“We really aren’t,” said Clive’s wife Carla with the authority of a lamb.

“He’s forty-five or so right?” said Clive. “Got the family, the big mortgage, all that? We find out where he drinks—probably Pete’s or the Bridgetender. We set up a motel room with a video camera. Then, you hire a girl—”

“He wants to put our inheritance in the hands of some tramp in heels and fishnet stockings,” said Johnny.

“No, no, no. Someone from a service.” Clive held up his index finger. “A professional.”

“You mean one of those nice girls in the back of magazines.” Johnny looked quickly at Ruby.

“Exactly,” said Clive. “You pay her a couple hundred bucks to show him a good time and get some nice still shots. Then, you meet him for a drink and you calmly tell him about your new venture into photography. You’re just a beginner but maybe he’s interested in purchasing some of your art work.”

“Well, I’m no lawyer, but somebody should have been on top of this. You know, should have foreseen certain things coming out.” Johnny nodded towards Vic. “We hired the lawyer to fix problems, not create them.”

“It’s a matter of moral principle that’s at issue,” said Sheila’s youngest son, Roger.

“Oh, here we go,” said Johnny. “Roger the intellectual is going to outwit the lawyer.” Johnny’s attack on Roger was not completely unfounded. Roger called himself a professor, though he only had a B.A. and taught seventh grade geology. He used words like pedagogy and perfunctory whenever possible and initiated

discussions about Op-Ed pieces in the *London Times* so that he could say, “I take umbrage with that” and recite a lengthy, rehearsed monologue.

“I spoke with Lester White about this very possibility. The British attorney over on William Street,” said Roger. “He told me we had a very strong case against the lawyer if the verdict was less than the cost.”

“Can you sue a lawyer?” asked Ruby.

“Absolutely,” said Roger. “There’s a fundamental breach that’s evident here.”

“Oh that’s great,” said Johnny. “We’ll hire a new lawyer to sue the old lawyer. Then, when we win, we will take the money from the old lawyer and pay the new lawyer.”

“You’re missing the point,” said Roger.

“No, wait, I think Johnny’s on to something,” said Clive. “Then, we will hire a third lawyer, to sue the second lawyer. And then a fourth lawyer...”

“You don’t let it get that far,” said Roger. “You negotiate.”

“I’ll tell you what you do.” Vic added a generous serving of Bailey’s over his glass of ice and milk and looked at Sheila’s kids. “You don’t stand around and whine. You look them in the eye.” Vic thought he understood lawyers. He had worked for seventeen years in a furniture store that was adjacent to a cocktail lounge where a lot of attorneys gathered after court.

In the morning, Vic dressed in a charcoal suit with a heavily starched, monogrammed white shirt, twenty-four karat gold cufflinks, patent leather shoes, and an orange silk tie, which he wove into a thick Windsor knot. He gathered an assortment of documents—the jury verdict, the retainer agreement, the invoice,

notes from settlement discussions—and placed them into a briefcase along with a yellow legal-sized notepad, blue highlighter and three graphite pencils.

DeVito's office was housed in the industrial district of town. Thin, tinted windows sunk into the class B building's cement façade that was darkened by exhaust and emissions from nearby factories. The interior had remained unmodified from the seventies and DeVito had done little to mask the remnants of the medical group that previously occupied the space. Wood laminate paneling covered the walls. A strip of faded beige carpet in the corner was untacked from the baseboards. Two army-green corduroy couches sat perpendicular and framed a glass coffee table that was covered with a few news magazines and legal periodicals.

A heavysset woman sat behind a yellow vinyl counter slid open a glass panel and smiled at Vic like he was a toy poodle. A small placard that sat on the counter said "JEANNIE JOSEPH."

"I'm here to see DeVito," Vic said.

"Oh, I'm sorry sweetie. Mmm mmm mmm." She looked at a calendar on her desk and shook her head. "Mr. DeVito's in meetings all day today."

"Listen sweetheart. I know a thing or two about business." Vic craned his head through the opening above the counter to try to catch a glimpse of the lawyer. "I know you're back there, DeVito," he called.

"Mr. DeVito is meeting with a client on an important matter," said Jeannie.

"Sitting back there in his stuffed leather chair, drinking his café au-lait and doing a word search or whatever the hell they do nowadays."

"I'm sorry—"

“You tell him Vic Rasmussen is here. We have important business to attend to.”

“What business is that honey?” The skillful, seamless manner in which she handled the question both surprised and irritated Vic.

“He knows goddamned well what business.” Vic slammed the invoice on to the counter and then brushed it through the opening.” The woman slid the glass divider closed and pressed a button on her phone.

“Hi Erin, it’s Jeanie,” she said quietly. “Does Mikey have any time for a walk-in today? It’s another senior.” She paused and listened. “Well this one’s a doozy.” She chuckled. “Tell me about it. I’ll find out. Hold on a second.”

She slid open the divider. “What case was it, sugar?”

“Rasmussen. Sheila Rasmussen.”

She closed the divider. “The woodpecker case,” she said into the phone. Then she laughed. “Well, I’m taking lunch in fifteen.” She laughed again, this time louder. “O.K. I’ll let him know. Thanks.” Jeanie re-opened the window.

“Mr. Rasmussen? Have a seat and Mike’ll try to find some time for you.”

Vic sat on the couch next to a neglected ficus plant and watched three children play a game in which they took turns sliding small wooden pieces out from a square tower and hoped it did not collapse. Old pine speakers scratched out the classical music. A young girl sat across from Vic drinking hot chocolate out of a Styrofoam cup and spoke softly to a woman in her sixties about some man named Gino—probably one of the children’s father—and his new girlfriend. The older woman held a similar blue binder that Winkler had left with Vic.

The office door chimed and an agitated woman with long fingernails led her eight-year-old son into the office. She said something in Spanish and nudged him to the corner of the room where the other children were playing. When he scowled, her eyes widened and he reluctantly sat down next to the younger kids and watched the wooden tower topple.

The interior of DeVito's personal suite contrasted with the rest of the office. Crown molding and fresh paint adorned the walls. A leather couch and coffee table were in the west portion of the suite opposite a large freshwater aquarium that contained several spotted tropical fish and a spiny eel among hardy, oxygenated plants. A cigarette burned in an ashtray atop DeVito's desk.

"She is lying." DeVito held the phone between his shoulder and ear motioned Vic into his office and pointed to a leather chair. "I don't care what she said. Stop talking and listen to me. You have a pre-nup." Vic could imagine the sort of client that was on the other line: some bottom feeder who could be manipulated by his controlling wife and his lawyer. He was probably a video store clerk.

"A what?" DeVito tilted a carafe and coffee poured into a ceramic mug and then raised his eyebrows at Vic, who nodded his head. "You are to sign nothing. Do you hear me?" DeVito held up creamer and sugar in each hand but before Vic could respond decided the task too troublesome and slid the containers across his desk. "Stop talking and listen to me! Shut your mouth, you imbecile," he shouted. "She doesn't love you anymore. What is so hard to understand about that?" He slammed down the phone.

“My father.” DeVito nodded at the phone. He removed his glasses and rubbed his eyes. “I’m kidding. Jesus, relax. It was my daughter.” He laughed. “Jesus, lighten up. I’m kidding, O.K.? Sit down. You want coffee? What time is it? Have a scotch with me.”

“Quite an operation you have running here.” Vic sprinkled some fish food into the aquarium.

“It’s a three-ring circus is what it is. My last client, Rita, she’s been living with a guy. They were supposed to get married so she’d have citizenship.” He lowered his voice and looked at the door. “But then he ran off with some teenager. They think she’s his *niece*.”

“I used to make up bullshit stories all the time.” Vic smiled and poured himself a cup of coffee. “Back when I was selling couches, if anyone tried to return anything I’d ask them if it could wait a few days. I’d drop my voice tell them about how I was on my way out of town—give vague details. Whatever, anything. Something to make their problem seem unimportant.”

“Look, man. I’m sorry you didn’t come out of this better. I really am. And I feel terrible about your wife—”

“I have a sixty-six thousand dollar bill for a consultant,” said Vic.

“Winkler. I know. He’s a fortune. We ought to sue the son of a bitch.” DeVito laughed. “I’m kidding. Jesus, you’re wound up. Would you sit down? You’re making me nervous.”

“He was at my house for forty-five minutes.”

“What do you want me to say? He’s expensive.” DeVito poured himself a glass of scotch. “I hire a guy and you complain about the cost. I don’t hire anybody and you’d be sitting there telling me about how much more money you would have recovered if we had only hired Will Winkler.”

DeVito had a point. Vic had a list of witnesses in his briefcase that he believed DeVito should have called to testify at the trial.

“That’s a pile of crap and you know it,” said Vic. “It’s negligence. I’ve spoken to people.”

“Whoa, we don’t use the n-word in here.”

“I want my money,” said Vic.

“You want more money?” said DeVito. “I wanted you to get more money. I get a third of it, remember?”

Vic hadn’t considered that they were more aligned than he thought.

“You let your pecker get in the way of big payday,” said DeVito. “You wanted to take a chance at a homerun.”

“Take a chance? I told you I wanted to settle,” said Vic.

“Then you should have taken the settlement offer,” said DeVito.

“You told me to reject it,” said Vic.

“I don’t tell people what to do,” said DeVito. “I just give advice.”

“Well, what the hell good is the advice if I’m not supposed to take it?” said Vic, surprised by how easily he had slipped from the calm, confident demeanor he intended to maintain.

“Here’s some advice. Disappear. Cut your losses and cash out. Find one of those communities in the desert. Palm Springs or Indio. Golf. Learn to play bridge. Enjoy what’s left of your life.”

“Golf?” said Vic. “Do you remember my wife? I can barely have time to make a sandwich.”

“Sheila has children,” DeVito said. “A daughter even. This is an opportunity for you.”

“You’re kidding.” Vic thought of Sheila in her wheelchair, eating ice chips and writing incoherent messages on to a whiteboard, rotting away in a rest home.

“I’m not kidding. You want to make amends? Be my guest. But you think Clive and the rest of them aren’t coming for your house, for your money?” DeVito said.

“Lester White specializes in these things. First thing he’ll do is have her declared insane. Then, he’ll obtain a conservatorship. The court will ask, Who’s going to take care of her? Her old cheating husband shouldn’t, Lester’ll say. The kids need control over her finances so they can make decisions, care for their mom. Then, it’s Shady Oaks for Sheila and a cruise to Mexico for Clive and Ruby and company.”

Vic studied DeVito. “What of the bill?” he asked.

Vic smiled at the woman as he placed the water samples in a foam box and the paint scrapings into a sandwich bag. DeVito assumed correctly. The woman was too preoccupied with her father’s health and her eight-year-old son to notice much of what Vic was doing.

Vic looked at the woman's father lying on the couch, wasting away, asleep and out of his mind, the translucent skin of his temples revealing thin purple veins and misshapen sunspots. Vic placed the yellow binder on the kitchen and told the woman that he'd be back in an hour. He drove to a restaurant and ate a large omelet with toast and hash browns. His stomach felt hollow. Things would be better in Florida.

THE MATHERS FILE

Ordo Templi Orientis, LLC*

***A Non-Profit Secret Society**

**Peace, Tolerance, Truth:
Salvation on All Points of the Triangle**



DECODED INSTRUCTIONS

**To: Secret Areopagus of the Illuminati
From: Sovereign Sanctuary of the Gnosis
Subject: National Grand Lodge
Importance: High
Date: December 3, 2010**

Greetings and health,

Electronic Operations and Surveillance has intercepted the attached transmission from the Department of Justice, which shows a high-risk security threat at the National Grand Lodge. Monitor closely and, if necessary, assign Agent Zero to take steps to do what thou wilt shall be the whole of the Law.

P.S. There are still several of you who have not paid their \$15 towards the shower gift for Gloria. Look, if you didn't want to contribute, that's fine. But don't say you're going to pay, and then bury your head in a stack of papers when I walk by your cubicle. It's not fair to those of us who have to make up the difference in the price of the gift. And contrary to popular sentiment, I really don't like sending these e-mails.

- Peggy

**DEPARTMENT OF JUSTICE
U.S. Marshals Office
Justice. Integrity. Service.**

CONFIDENTIAL

Security Clearance Level Blue Required for Viewing

To: Field Agent 743
From: Operations
Subject: Possible Identity Breach of Witness 387-909
Threat Level: High
Date: December 3, 2010

Issue:

Notification received today from U.S. Attorney's Office of a possible security breach involving Witness 387-909 ("Witness").

Background:

Witness has been in Witness Protection Program for approximately twenty-four years. Witness testified in the trial of former United States Senator Richard A. Willoughby, an el capo with the Philadelphia chapter of La Cosa Nostra, who was acquitted of nineteen counts of corruption, racketeering, abuse of power and misappropriation of political donations. Since entering protective custody, Witness has been challenging and required three separate relocations.

Witness is currently housed at Kensington Retirement Community, a senior living community that features single family homes, a community center, golf course, twenty-four hour cafeteria and an on-site medical staff.

Threat:

Witness is embroiled in an eviction action.

Objectives:

1. Identify threats to Witness at facility.
2. Take appropriate action to protect Witness' safety.
3. Confirm security of facility, and, if necessary, relocate Witness.
4. Retain outside counsel to resolve eviction action.
5. Provide report upon completion.

From: "New World Order" <newworldorder@secretsociety17.com>
To: "Daniel Peabody, Esq." <daniel@peabodylaw.com>
Date: 12/4/2010 2:48 p.m.
Importance: Extremely High
Subject: *Kensington v. Mathers*

Dear Mr. Peabody,

After careful deliberation by the Sovereign Sanctuary of the Gnosis, you have been selected to protect the interests of Kenneth Mathers, former member of the Heru-Ra-Ha Lodge in Newport Beach, California, and now high-ranking member of the National Lodge in Chesapeake Beach, Maryland. Mr. Mathers is currently the defendant in an eviction action brought by Kensington Housing Community.

A brief biography of Mr. Mathers is attached for your review along with the letter of complaint.

Do what thou wilt shall be the whole of the Law.

Peace, tolerance and truth,

Ordo Templi Orientis
(Illuminati Troop 17)

Please do not burn. Shred and then recycle.

- DailyGazette.doc

- CrouseLtr.doc

Kensington Daily Gazette

(A Publication of Kensington Retirement Homes)

Chesapeake Beach, Maryland 20732

November 1, 2008

Announcements:

Our Lady of Grace Sunday school students will be visiting on Tuesday, November 18

Birthdays:

Elsie Rowe, 87, Vivian Street, 90 (Milestone!)

Activities:

5:30 a.m. Garden Walk (Meet in Foyer)

9:00 a.m. Library Shuttle (Meet in Lobby)

1:00 p.m. Bridge/Scrabble (Cafeteria)

3:00 p.m. Stretching and Exercises (Gymnasium)

6:30 p.m. Resident Movie Night: *Die Hard 3* (Auditorium)

New Tenant Spotlight: The “Tiny Tin Man”

By Thomas Maas

You’ve probably already met Kensington Park’s newest member, Ken “Tiny Tin Man” Mathers, and not even known it. Mr. Mathers has delighted crowds at the Chesapeake Wharf for most of the last two decades by painting his body silver, standing on a wooden box and moving like a robot while making eerie electronic noises. Yeah, that guy!

The inspiration for the Tiny Tin Man occurred nearly seven decades ago when Mr. Mathers parachuted into Western Germany. As he sailed through the crisp German

air, the young Special Forces soldier concentrated on lessons that he learned in boot camp – chiefly, how to land in a safe, inconspicuous location. But descending into enemy territory is no easy task. Tiny Tin Man became disoriented, lost control of his parachute and landed near a German battalion camp. Suddenly, this specially trained warrior became a Nazi prisoner of war for eight months. Whoops.

While a POW, Mathers didn't shower for nearly three months. But after he picked some dried skin off his cheek, a daring escape plan occurred to him: "I told the hokies, 'We'll camouflage ourselves in mud and crawl outta here at midnight.'" Three hours after their escape, Mathers and his team were caught, severely beaten and confined in a deep concrete well for the next eight months. "I got to do a lot of thinking down there. I decided if I ever got back I'd join the circus. I always wanted to try to ride a unicycle." Mr. Mathers never made it to clown school but he did make it to Chesapeake Beach. As it turns out, the transition from a Nazi POW to an Eastern seaboard tourist attraction was no easy task.

And that's not the only thing interesting about Mr. Mathers' background. A criminal background check revealed that Mr. Mathers has twice been arrested! Do we have a troublemaker on our hands? "It was all in petty stuff," said Mr. Mathers with a dismissive wave. When directly asked why he used a butter knife to maim and hospitalize Anthony Anderle—a street performer formerly known as The Cuddly Leopard—Mr. Mathers said, "What was I supposed to do? I had been on the corner of Jefferson and Bay for four hours. I wasn't about to let Spots muscle in."

Mr. Mathers estimates that he spends \$7,500 per year on premium metallic spray paint, industrial cleansers, Brillo pads and Speedos. As to what it's like to have thirty-two

ounces of paint on your body and brave the elements every day for twenty-five years, Mathers doesn't recommend it. He's had three knee operations (ouch!) and the whooping cough. But you won't find this robotic soldier complaining: "I have no intention to stop spraying. It's in my blood." Mr. Mathers is right about that. We checked his medical records and his body's internal organs are nearly entirely saturated with deadly chemicals.

Stop by Unit 7 on Augusta Drive and say hi to Mr. Mathers.

Mrs. Hamilton B. Crouse
1041 Augusta Drive
Chesapeake Beach, Maryland 20732

December 2, 2010

Kensington Retirement Community
Attn: Board of Disciplinary Committee
800 Circle Drive
Chevy Chase, Maryland 20815

Disciplinary Board:

My name is Patricia Crouse of the Crouse family. By way of background, I am the widow of Third District Assembly member Hamilton B. Crouse and, of course you know my great granddaddy Senator Richard Montgomery Alexander - one of this country's brave, founding fathers.

It's been my pleasure to reside at Kensington Park, your retirement community in Chesapeake Beach, Maryland, for the past fifteen months. I am proud to say that in the short time that I have been resident, I am one of your most active members. I serve as Treasurer of the Neighborhood Senior Citizen Social Club and am the active Chair of the Library Committee.

I am certain you receive many frivolous letters with unsolicited suggestions about all sorts of silly things. Well, you can rest assured that this isn't one of those. I'm not some old fuddy-duddy who has nothing better to do than sit in my rocking chair and craft missives to city councilmen about broken stoplights and noise ordinances. How people choose to live their lives is their own prerogative. If the Andersons want

their grandchild (the adopted one not the normal looking one) to prance around nude in the sprinklers like a Third World savage, that's their business. I can fix myself a cold glass of sugar-free lemonade and catch up on my correspondence or else turn on the television and see what old Miss Marple is up to.

But as you very well know, there is such a thing as decorum. Which is why last February the sensible, law-abiding Christians at Kensington saw fit to decide on a set of written rules—rules which were drafted, re-drafted, vetted, put to vote, tabled (temporarily), raised as a special point of order, seconded, and then voted upon by confidential, secret ballot. After those ballots were collected, reviewed and counted, it was settled by vote of eight ayes and one nay (Tony Crane) to formally memorialize “Kensington Community’s Covenants Conditions & Restrictions” (hereafter referred to as “The Rules”).

Which brings me to the very pressing matter that is the subject of this important correspondence. As you are no doubt are aware, Section III, Subsection 5(a) of The Rules plainly states, in pertinent part:

“During the hours of 5 p.m. and 6 p.m. on Tuesdays, *no vehicles may park on the west side of Augusta Drive.*” (Emphasis added.)

Despite this precise language, community tenant Tom Mathers (who, you may have heard, spends his days making a spectacle of himself by pretending to be some sort of a robot) routinely leaves his Cadillac on Augusta Drive while he goes to the Wharf to deal three-card Monte and God

only knows what else. The man's conduct—which is, for starters, is a systematic, deliberate and *prima facie* act of immorality—is also in clear violation of Subsection 5(a).

I suppose because Mr. Mathers (if that is his real name) walks with a limp he thinks that gives him the right. Well, it doesn't. Ann Marie De Die had hip replacement last year and she walks from her home on Briar Lane over to my house for a bridge game every Thursday. Whether three blocks in a mild autumn climate accounts for a desert-dry pot roast and marginal ambrosia is between her and the Lord and, anyway, is not the point. The point is that there are rules, rules that must be followed. And if those rules are not followed, then that rule breaker must be permanently expelled from the community.

Should you require documentation, I have several photographs and a video recording of Mr. Mathers' automobile illegally parked. Further, our mutual neighbor Bob Johnson will be happy to confirm the information that I have provided.

I trust this will be handled professionally and in due course.

Sincerely yours,

Mrs. Hamilton (Trixie) Crouse

From: "Daniel Peabody, Esq." <daniel@peabodylaw.com>
To: "Greta Peabody, Esq." <greta@peabodylaw.com>
Date: 12/4/2010 4:30 p.m.
Subject: FW: *Kensington v. Mathers*

Hi honey,

I just got back to the office. Whooo-whee is it raining out there. Not sure where you are, probably the gym. We got a new file in (see e-mail above). Is this one of yours? Looks like the fruits of that Sedona business mixer that you went to last year. I checked with Tanya but apparently she left early.

What do you wanna do for dinner? I'm kinda feeling Chinese but could be talked out of it. Should I pick up an order of General Tsao's chicken and rice on the way home? Or are you in the mood for something less ethnic?

Love,

D

From: "Greta Peabody, Esq." <greta@peabodylaw.com>
To: "Daniel Peabody, Esq." <daniel@peabodylaw.com>
Date: 12/4/2010 4:33 p.m.
Subject: OUT OF OFFICE AUTO REPLY- RE: FW: *Kensington v. Mathers*

Thank you for your e-mail. I cannot respond to your message at this time, because I am out of the office spending time with interesting people, who don't waste their evenings sitting at an antique wooden lap desk and double-checking lines on their credit card bill.

Cheers,

Greta

From: "Daniel Peabody, Esq." <daniel@peabodylaw.com>
To: "Greta Peabody, Esq." <greta@peabodylaw.com>
Date: 12/4/2010 7:48 p.m.
Subject: OUT OF OFFICE AUTO REPLY- FW: *Kensington v. Mathers*

Hey there pumpkin,

Just got home. I went out on a limb and picked up tiki masala and naan from Bombay House. Sounds like you had a rough one. I tried calling your mobile but they said that your number was disconnected? I'll look into it tonight.

Do you know anything about this Thin Man? There's a hearing tomorrow and I'm not really sure what to do.

Also, I know you don't want to be bothered with these things right now (so just tuck this one on a far back burner) but when you do get a chance can you double-check whether we spend \$148.77 at Sears? I don't remember it being that much.

Love,

D

From: "Bill Landers" <Bill@sovereignsanctuary.com>
To: "Jim Springs" <Jim@secretsociety17.com>
Date: 12/4/2010 9:31 p.m.
Subject: FW: OUT OF OFFICE AUTO REPLY- FW: *Kensington v. Mathers*

Thin Man? Seriously?

And is anyone going to tell him his wife is on a flight to Fiji?

Peace, tolerance and truth,

William Landers
Ordo Temple Orientis
Communications & Electronic Data Monitoring

P.S. Are you giving anything for Gloria's shower gift? I don't want to go to any baby shower. And \$15? Not to sound cheap but I don't even really know Gloria. I mean, she wants to have a baby, great. But why's it gotta be on my dime?

From: "Jim Springs" <Jim@secretsociety17.com>
To: "Bill Landers" <Bill@sovereignsanctuary.com>
Date: 12/4/2010 9:42 p.m.
Subject: FW: OUT OF OFFICE AUTO REPLY- FW: *Kensington v. Mathers*

Oh, you're preaching to the choir, buddy. It's like a baby a week around here. And they all want some \$700 state of the art baby jogger. I think Shelley Harper's came with an espresso bar. (By the way, have you seen Shelley lately? She's been back a year now. Uhhhh...happy to donate to the "cause" so to speak but the jogger ain't gettin' a whole lotta use if you know what I'm saying.)

Peabody...I'm monitoring. We're kinda playing this one on the fly. Don't mention the wife, I don't want to upset him. I'll tell you what though, between the two of us—he's got bigger problems than his wife. Communications intercepted a message last week that Health Department is shutting down Bombay House on Tuesday.

Peace, Tolerance and Truth,

Jim

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KENSINGTON HOMEOWNER’S ASSOCIATION,

Plaintiff,

vs.

KENNETH MATHERS aka THE TIN MAN,

Defendants.

EVICTON HEARING OF KENNETH MATHERS

THURSDAY, DECEMBER 5, 2010, 10:54 A.M.

HONORABLE SAMUEL B. ALBURY, PRESIDING

--o0o--

Appearances:

Daniel Peabody, Attorney of Record for Kenneth Mathers

Richard Wallman, Attorney of Record for Kensington Homeowner’s Association and Lydia

Crouse.

The following proceedings were had and taken to wit:

--o0o--

PROCEEDINGS

--o0o--

COURT: Mr. Robert Johnson has been sworn an oath to tell the truth. Proceed.

DIRECT EXAMINATION:

Mr. Johnson: What’s this all about?

Mr. Peabody: Good morning Mr. Johnson.

Mr. Johnson: Who the hell are you?

Mr. Peabody: My name is Daniel Peabody and—

Mr. Johnson: Never heard of you.

1 Q: I am a lawyer. We are here today for a hearing regarding the possible eviction of Ken
2 Mathers. I'd like to ask you some questions about a certain Cadillac De Ville that was allegedly
3 parked on Augusta Drive last –

4 A: I came down here to play cribbage and watch *Law & Order*.

5 Q: You can play all the cribbage you want when the hearing is over, Mr. Johnson. But
6 right now –

7 A: I'll be goddamned if anyone's going tell me what I can or cannot do. I stormed the
8 beaches of Normandy so you could wear cotton underwear and have tassels on your loafers.

9 Q: I have a quasi-subpoena, sir. Do you understand what that means?

10 A: Where is the remote control? Martin, bring the cards over here and find the remote
11 control.
12

13 Q: Sir, this document requires that you testify –

14 Mr. Wallman: Nurse! Bring Mr. Johnson his cribbage board and turn on the television. This
15 man is a war hero.
16

17 A: What time is it?

18 Mr. Peabody: It is 11:08 a.m. Mr. Johnson, but—

19 A: Eleven-oh...now look you've made me miss the cold open. How do you expect we'll
20 be able to track what's happening?
21

22
23 *****A BREAK IN THE PROCEEDINGS OCCURRED TO ALLOW THE PARTIES**
24 **TO WATCH *LAW & ORDER*.**
25
26
27

From: "Daniel Peabody, Esq." <daniel@peabodylaw.com>
To: "Tanya Penn" <tanya@peabodylaw.com>
Date: 12/5/2010 11:10 a.m.
Subject: *New File*

Tanya,

Can you get a bill out to New World Order right away?

Thanks,

D

From: "Tanya Penn" <tanya@peabodylaw.com>
To: "Daniel Peabody, Esq." <daniel@peabodylaw.com>
Date: 12/5/2010 11:15 a.m.
Subject: *Hello from Fiji!*

Hi Daniel,

I'd love to help out but I am in Fiji with Greta. I guess things are kinda rocky right now between you two? Sorry about that... ☹!! Anyway, it's really beautiful here and we are having a fantastic time!!! Yesterday, we went snorkeling and I took my first surf lesson. I stood up for almost ten seconds! Tonight we are going to a luau—fire show, limbo and all you can eat and drink. Such fun!

I wish you were here, but then I guess that would probably be awkward. ☹ Well, I got to get going, my mai-tai just arrived. See you in a few weeks!

Xoxo,

Tanya

From: "Daniel Peabody, Esq." <daniel@peabodylaw.com>
To: "Greta Peabody, Esq." <greta@peabodylaw.com>
Date: 12/5/2010 11:15 a.m.
Subject: *Hi*

Hey Schnookums,

I just heard from Tanya, and well, I'm disappointed, sure, but also I'm energized. I have been doing some thinking, and the thing is, I am ready to make some changes. I don't mean joining a gym or attending a few counseling sessions and then reverting to my old patterns. I mean real change—change that doesn't include anxiety or a preoccupation with that extra baby weight.

I want our lives to be exciting again. Like old times. I checked with some folks at the senior community here and they don't think I am that boring. One woman said that I reminded her a lot of her grandson. I met another man who has been married for over fifty years. He keeps an alphabetized file folder of all receipts for purchases in excess of \$25. But you know what? I don't even want to get into stuff like that right now. We have our whole lives to get organized.

Your devoted husband,

Danny

From: "Bill Landers" <Bill@sovereignsanctuary.com>
To: "Daniel Peabody, Esq." <daniel@peabodylaw.com>
cc: "Greta Peabody, Esq." <greta@peabodylaw.com>
Date: 12/5/2010 11:17 a.m.
Subject: *Hi*

Dear Daniel,

We aren't really supposed to take sides, but I just took a quick poll around the office and we are with Greta on this one. Ever since July 2009 you've been—well, the truth is that you've been a real drag. Would it kill you to forward a joke now and then or at least try to say something interesting? It's really a bummer, especially for those of us over here at O.T.O. operations who have to read your e-mails. Thanks!

Sincerely,

Bill Landers

P.S. You should lay off the carbs. You're getting a little chubby at the waistline.

From: "Daniel Peabody, Esq." <daniel@peabodylaw.com>
To: "Greta Peabody, Esq." <greta@peabodylaw.com>
Date: 12/5/2010 11:29 a.m.
Subject: *Hi*

Greta,

Don't listen to him, honey. I can change. You know I have always been faithful to you.

With love,

Daniel

From: "Bill Landers" <Bill@sovereignsanctuary.com>
To: "Daniel Peabody, Esq." <daniel@peabodylaw.com>
cc: "Greta Peabody, Esq." <greta@peabodylaw.com>
Date: 12/5/2010 12:01 p.m.
Subject: *Hi*

Faithful? Looks like somebody has forgotten about that conference in Vail a few winters ago when he was "really tired and going to bed early."

Bill

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PROCEEDINGS RESUMED at 12:09 p.m.

*****AT THE REQUEST OF MR. WALLMAN IT WAS NOTED THAT ALL VIEWERS (EXCEPT MR. PEABODY) CORRECTLY IDENTIFIED THE KILLER AS THE SENATOR'S CHIEF OF STAFF*****

Mr. Peabody: All right, it is a little after noon. *Law and Order* has concluded and we are back on the record. Now, tell me Mr. Johnson –

Mr. Wallman: Good afternoon, Mr. Johnson. Dick Wallman here. I represent Lydia Crouse.

A: Oh, yes. I know Lydia. Lovely woman.

Mr. Wallman: First of all, on behalf of all Americans—especially all Jewish Americans—I want to thank you for your service to our country.

Mr. Peabody: I beg your pardon, Mr. Wallman, but I have not concluded—

Mr. Wallman: You had your chance, Mr. Peabody.

Mr. Peabody: But he demanded that we take a break.

Mr. Wallman: Instead of examining this witness, you chose to spend your time watching television and sending pathetic e-mails to your wife.

Mr. Peabody: How did you know I was e-mailing my wife?

Mr. Wallman: We all know, Mr. Peabody. Now, stand down. Tell us Mr. Johnson—

Mr. Peabody: Wait a sec. Have you spoken to Greta? Is she still mad?

Mr. Wallman. Silence Mr. Peabody or I will move for an order of contempt.

Court: Sustained.

1 Mr. Johnson: Now look, I don't know what's going on. But I'm sure of one thing—
2 whatever it is that's going on can be worked out without a bunch of lawyers involved.

3 Mr. Wallman: Mr. Johnson, are you aware that Mr. Mathers was a member of the
4 communist party?

5 Mr. Johnson: Why that pinko commie son of a bitch.

6 Mr. Peabody: Objection. There's no foundation for—

7 Mr. Wallman: And tell me, Mr. Johnson, do you think that it's normal to assault a man who
8 is attempting to make a balloon animal for a young child in a wheelchair?
9

10 Mr. Johnson: That's disgraceful.

11 Mr. Wallman: Now tell us Mr. Johnson, in your own words, if you had to estimate the
12 number of times that you have seen Mr. Mathers illegally park his car in front of Ms. Crouse's
13 residence, would you estimate that the number was closer to ten thousand or ten million?
14

15 Mr. Johnson: Well, when you put it like that I guess I'd have to say ten thousand.

16 Mr. Wallman: Let the record reflect that Mr. Mathers has violated the law over ten thousand
17 times.

18 Mr. Peabody: Objection. Mr. Wallman is putting words in the witness' mouth.

19 Mr. Wallman: It takes a special man to have the courage to live next door to a violent
20 communist who has no regard for the law. Thank you for your time, Mr. Johnson. God bless you.
21 And God bless America.
22

23 Court: Amen. Next witness, Mr. Peabody?

24 Mr. Peabody: I'd like to follow up with Mr. Johnson.

25 Court: Next witness.

26 Mr. Peabody: But I didn't get a chance to ask that witness any questions.
27

1 Mr. Wallman: Objection, Mr. Peabody is pouting.
2 Court: Sustained. Stop pouting and call your next witness. Christ, no wonder your wife is
3 leaving you.
4 Mr. Peabody: What was that? Have you heard from Greta? Did she say something?
5 Mr. Wallman: Objection. Mr. Peabody's personal life is not part of this case.
6 Court: Sustained. Get yourself organized, Mr. Peabody. Not everything is about you.
7 [A BREAK WAS TAKEN]
8 Court: We are back on the record. And this is a court of law!
9 Mr. Wallman: Let the record reflect that Mr. Peabody was eating M&Ms during the break.
10 Mr. Peabody: I was not.
11 Mr. Wallman: He was so and he didn't offer to share any of them.
12 Mr. Peabody: That is utter nonsense. Can we move on?
13 Mr. Wallman: As soon as we clear up the record. Approximately seven minutes ago, I
14 walked into the break room, and said, "What are you eating, Mr. Peabody?" and he swallowed and
15 then said, "Nothing".
16 Mr. Peabody: This is ridiculous. It is beside the point. And anyway, it is totally made up.
17 Mr. Wallman: Oh? Because the entire incident was witnessed by a woman named Clara Jean,
18 who was also in the breakroom and she is here to provide sworn testimony.
19 Court: Have a seat Ms. Clara Jean. Do you swear to tell the truth, the whole truth and nothing
20 but the truth so help you god?
21 Clara Jean: I do.
22 Court: Proceed.
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1 Mr. Wallman: Now, Ms. Clara Jean. Tell us in your own words what transpired in the
2 breakroom approximately nine minutes ago.

3 Clara Jean: Well, an agitated, perspiring man with a nose like a worm and circles under his
4 eyes—that's him there (*points to Mr. Peabody*)—entered the room typing on his phone and talking
5 to himself. Thereafter, he bought a Butterfinger from the vending machine, which he ate in two bites.
6 Then, he bought some M&Ms and started eating those.

8 Mr. Wallman: What did you say?

9 Clara Jean: I said, "Ooh, M&Ms. Can I have one?" But Mr. Peabody chortled and then stared
10 at me and slowly crunched them between his teeth.

11 Mr. Wallman: Then what happened?

12 Clara Jean: This Peabody character saw you coming and he stuffed a bunch of M&Ms in his
13 mouth and said, "You're to say nothing about this to Wallman. Understand? Nothing! This never
14 happened! And the Butterfinger neither!"

16 Mr. Wallman: Nothing further.

17 Mr. Peabody: Ms. Clara Jean. Is it true that you are a paralegal in Mr. Wallman's office?

18 Clara Jean: *No habla ingles.*

19 Mr. Wallman: Let the record reflect that Ms. Clara Jean requires a translator to testify today.
20 We ask that she be excused.

22 Court: You may step down, ma'am. Any other witnesses on this incident, Mr. Wallman?

23 Mr. Wallman: No, your honor.

24 Court: Then, I consider the matter submitted. What's rule number one, Mr. Peabody?

25 Mr. Peabody: But it was a very small bag.

26 Court: Rule number *one*, Mr. Peabody.
27

1 Mr. Peabody: If you are going . . . [inaudible]
2 Court: I can't hear you, Mr. Peabody.
3 Mr. Peabody: If you're going to eat M&Ms, bring enough for everyone.
4 Court: That's better, Mr. Peabody. At the next break you are directed to the vending
5 machines to buy Mr. Wallman AND Clara Jean something of their choice. And, the court will take a
6 Snickers. Now please call your next witness.
7
8 Mr. Peabody: The defense calls Lydia Crouse.
9 [Ms. Crouse was sworn an oath.]
10 Mr. Peabody: Good morning, Ms. Crouse.
11 Ms. Crouse: What did he say? You have to speak up.
12 Mr. Peabody: I said, 'good morning, Miss Crouse.'
13 Mr. Wallman: The record should reflect that Mr. Peabody is shouting.
14 Court: Don't shout, Mr. Peabody.
15 Mr. Peabody: I am not shouting. I was speaking loudly at the request of the witness.
16 Mr. Wallman: Let the record reflect that Mr. Peabody is shouting and whining.
17 Court: Noted.
18 Mr. Peabody: I am not whining.
19 Mr. Wallman: You were whining just a moment ago. Madame Court Reporter, please read
20 back the transcript.
21
22 [A portion of the transcript was read back in which Mr. Peabody was whining.]
23 Mr. Peabody: I would just like to say that I think I've been mistreated here today. There's an
24 element of bias and –
25
26 Mr. Wallman: Mr. Peabody obviously needs a nap.
27

1 Mr. Peabody: I do not. Madame court reporter, please confirm that I --
2 Mr. Wallman: Counsel is now attempting to interrogate the court reporter.
3 Court: Do not interrogate the court reporter, Mr. Peabody.
4 Mr. Wallman: Let the record reflect that Mr. Peabody is having a temper tantrum.
5 Mr. Peabody: I am not.
6 Mr. Wallman: Are too.
7 Court: This is a retirement community not a nursery school, Mr. Peabody.
8 Ms. Crouse: [sneeze]
9 Mr. Wallman: Let the record reflect that Mr. Peabody has traumatized Ms. Crouse.
10 Ms. Crouse: [sneeze]
11 Mr. Peabody: Gesundheit.
12 Mr. Wallman: Possible stroke, possible anaphylaxis.
13 Court: Noted.
14 Mr. Wallman: Let the record reflect that Mr. Peabody refused to allow Ms. Crouse to take
15 her medication.
16 Mr. Peabody: She didn't say she needed any medication.
17 Mr. Wallman: You never asked her, Mr. Peabody.
18 Mr. Peabody: Ma'am, do you need any medical attention?
19 Mr. Wallman: Objection. Mr. Peabody is badgering the witness.
20 Ms. Crouse: I feel—
21 Mr. Wallman: The witness is obviously having a severe allergic reaction to peanuts.
22 The Court: This is a nut-free court, Mr. Peabody. Were your M&M's regular or were they
23 peanut?
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1 Mr. Peabody: I'm not really sure.

2 Court: You're obviously lying Mr. Peabody. I'm only going to ask you once more.

3 Were they peanut or were they regular?

4 Mr. Peabody: Um...one of them might have been peanut.

5 Mr. Wallman: Well, did you bring an Epi-pen, Mr. Peabody? Or did you leave that with

6 your manners?

7 Mr. Peabody: I guess I left it.

8 Mr. Wallman: Let the record reflect that Mr. Peabody is not carrying any epinephrine and

9 was eating peanut M&Ms.

10 Court: Duly noted.

11 Mr. Peabody: How am I supposed to know? And why is that duly noted instead of just plain

12 noted?

13 Court: I don't like your tone, Mr. Peabody.

14 Mr. Wallman: Let the record reflect that Mr. Peabody is using a condescending tone when he

15 could be administering CPR.

16 Court: Noted.

17 Mr. Wallman: Counsel is obviously projecting his marital problems on to an old, ill woman

18 that may or may not be experiencing heart arrhythmia.

19 Mr. Peabody: My marriage is none of your business.

20 Mr. Wallman: You have made it our business, Mr. Peabody.

21 Court: Stop injecting your marriage into this proceeding, Mr. Peabody.

22 Mr. Peabody: I am not injecting—I don't even have any marital problems.

23 Mr. Wallman: Let the record reflect that Mr. Peabody is in denial.

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1 Court: Already noted.

2 Mr. Peabody: My wife could be on her way home right now, you know.

3 Jim Springs: [man dressed in all black rises from seat in rear of room] Actually, she's in a
4 partial ocean view hotel room having a tickle fight with Tanya.

5 Mr. Wallman: Let the record reflect that Mrs. Peabody is having a tickle fight.

6 Court: *Duly* noted.

7 Mr. Peabody: New World Order?

8 Jim Springs: Hey there, Danny. You can call me Jim. Nice to put a face to a name.

9 Mr. Peabody: I don't understand.

10 Jim Springs: We don't usually attend these things, but this is sort of a special case.

11 Mr. Wallman: Look what the cat dragged in. What's happening, Springster? Amy finally let
12 you off your leash?

13 Jim Springs: Agent Zero, looking so dapper. Is that a clip-on tie, you're wearing?
14 What's it been? Three months? I haven't seen you since that mess in Santa Barbara.

15 Mr. Wallman: Was she a handful or what?

16 Jim Springs: You're telling me. But talk about some assets.

17 Mr. Wallman: Some junk in the trunk.

18 Jim Springs: More cushion for the pushin'.

19 Mr. Wallman: A first class dookie-maker.

20 Mr. Peabody: I don't mean to intrude but can we get back to the case?

21 Mr. Springs: I wanted to talk to you about that, Danny. The folks at the mothership are
22 getting a tad antsy with how this hearing is going. What I mean to say is [*whispered*] *they're not*
23 *seeing much in the way of a . . . you know, game plan.*

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Mr. Peabody: I couldn't hear you. What?

Mr. Springs: It seems like you're blowing it.

Mr. Peabody: Well, it's a little hard to concentrate with these constant interruptions.

Mr. Springs: Sounds like you need to take care of business at home. You know, divorce can be tough on a person.

Mr. Peabody: I am not getting a divorce.

Mr. Springs: Right, right, right. I don't even know why I mentioned divorce.

Mr. Wallman: Let the record reflect that Ms. Crouse is in cardiac arrest.

Mr. Peabody: Oh my god.

Mr. Wallman: Let the record reflect that Ms. Crouse is being placed on a stretcher.

Mr. Springs: So, not to look over your shoulder or anything, Danny, but what are we doing about this situation?

Mr. Peabody: We better get a doctor or something. Does anyone have a defibrillator?

Mr. Springs: No, I mean, about the hearing.

Mr. Peabody: Oh, I don't know. I suppose it depends on what happens with Ms. Crouse.

Mr. Wallman: Ms. Crouse has passed away.

Mr. Peabody: That's terrible. Wait, why did you mention divorce?

Jim Springs: I'm going to head to the airport now. We'll be in touch. Maybe. Probably not.

Mr. Wallman: Let the record reflect that Mr. Peabody did not bring a defibrillator.

Court: Noted. The complaining party now dead, the case is dismissed.

-- END OF TRANSCRIPT --

From: "Daniel Peabody, Esq." <daniel@peabodylaw.com>
To: "Greta Peabody, Esq." <greta@peabodylaw.com>
Date: 12/10/2010 4:48 p.m.
Subject: *The Mathers File*

Hey there honey,

You're probably wondering why you haven't heard from me and also why I haven't made a decision on upgrading to a five-year warranty. Well, I'm still crunching some numbers. Also, things got a bit dicey on that Mathers file and it looks like I'm going to be tied up for a few more days until I straighten things out with the U.S.

Attorney's Office.

Love ya,

D.

From: "Bill Landers" <Bill@MasonsOperations.com>
To: "Jim Springs" <Jim@Masons79.com>
Date: 12/10/2010 9:21 p.m.
Subject: FW: *The Mathers File*

This guy's killing me. Seriously. I can't take it any more.

From: "Jim Springs" <Jim@Masons79.com>
To: "Daniel Peabody, Esq." <daniel@peabodylaw.com>
Date: 12/10/2010 9:28 p.m.
Subject: *The Mathers File*

Um, it's looking like it's going to be a tad longer than a few days, Danny.

Apparently the folks over at Justice are a teensy bit peeved about your interview with *The Gazette*.

Peace, tolerance and truth,

Jim Springs

P.S. Please note that effective 12/5 we have merged with the Masons and I have a new e-mail address.

Kensington Daily Gazette

(A Publication of Kensington Retirement Homes)

Weather

Sunrise 6:07 a.m.

High: 78 Low: 55

Announcements:

Deaths:

Vivian Street, 99 (so close!)

Lydia Crouse, 75

Activities

5:30 a.m. Garden Walk (Meet in Foyer)

10 a.m. – 5 p.m. Green Thumb Elections

(Vote in Conference Room)

1:00 p.m. Bridge/Scrabble (Cafeteria)

2:00 p.m. Pilates (Gymnasium)

5:00 p.m. Ice Cream Social

EXCLUSIVE: Corruption and Murder: A *Gazette* Investigative Piece

By Thomas Maas

Intrigue. Infidelity. Corruption. And maybe even Murder. It all happened here at Kensington Gardens yesterday afternoon, my loyal readers, and the *Gazette* has all the details.

The victim: one of our own, Lydia Crouse, pronounced dead in the television room. The perp? That, my loyal *Gazette* readers, is the question.

A confidential source told this *Gazette* reporter that officials within the Mayor's office and the Chesapeake Beach Police Department are conducting an extensive investigation into the circumstances surrounding this tragedy. Officials have fully exonerated Mr. Mathers, who they describe as "national treasure," and instead have identified attorney Daniel Peabody as a "person of interest." Peabody, who reportedly

was experiencing “serious” marital problems and has a well-documented history of struggles with anger management, acted erratically during the court proceedings—at times disoriented and at other times emotionally stunted.

“I don’t use hyperbole,” said seasoned litigator Dick Wallman, “but to deliberately and systematically expose an old lady—his own client!—to toxic substances just so he can make a buck. Well,” said Wallman, “It’s malpractice, sure. But it’s the sign of a very sick and angry individual.” Wallman told the *Gazette* that Ms. Crouse’s heirs haven’t ruled out a lawsuit against Peabody.

When reached for comment at the county jail, a shrill, uninsured, ostensibly single Peabody vehemently denied any wrongdoing and blamed a secret society. “You know Crouse isn’t even her real name, don’t you?” said Peabody. “It’s Sandy Willoughby, the wife of mob boss Dick Willoughby. Peabody claimed that Crouse had been part of the United States Federal Witness Protection Program and had undergone facial reconstruction surgery.”

Is there any truth to these wild accusations or has Peabody come completely unglued? *The Gazette* spoke with clinical psychologist Jim Springs. “When a spouse discovers another spouse cheating—which was the case with Mr. Peabody—it can be very debilitating,” Springs said. “Many people will immerse themselves in mundane tasks as a defense mechanism to block out their frustration—but the stress, the denial, it’ll eat you up eventually. My father had a second family in Topeka—wife, three kids, station wagon, the whole bit. We didn’t find out until the very end when I came home from a track meet and found him face down in the hot tub. Drowning, they said. But it wasn’t so much that he couldn’t swim as it was the stress, the lying.”

For the record, Peabody claims that Springs was also a member of the so-called secret society. Then, he attempted to have me relay a message to his ex-wife.

Mr. Peabody is being held without bail pending an independent psychiatric evaluation.

Mrs. Carrington B. Crouch
404 William Avenue
Peoria, Arizona 85383

December 19, 2010

Kirk C. Richards
President
Grand Oaks, Inc.
1320 Sherman Way
Peoria, AZ 85383

Dear Mr. Richards:

This letter follows up on my telephone messages to you of December, 12, December 13 and December 14 concerning the oppressive odor that permeates Phase III of your Grand Oaks Retirement Community (the facility that your corporation claims in marketing materials to have a full-service cafeteria, "several" working hot tubs, and to be located a "pitching wedge" from the finest restaurants in Phoenix.)

Of course it's one thing to conceal facts and make intentional misrepresentations amid a tri-fold pamphlet of glossy, doctored photographs and quite another to attempt to escape responsibility (for what I have been assured by my legal advisors constitutes a legal nuisance) through deception and lies. As much as I appreciate the creativity that went into your decision to have that lovely, twenty-two year-old, plaid skirt-wearing sales associate—a Ms. Rothman, if memory serves—pay me a visit for afternoon tea, rehearsed eye-batting, insidiously false flattery about the configuration of my sitting area and seventh octave squeaks about how she "doesn't smell a thing," I think we both know that a

Hector's beaked whale with traumatic anosmia could smell the oppressive stench that permeates every molecule of breathing air in my upstairs study. Well, you'll be relieved to hear that I have performed some preliminary investigation on your behalf and I suspect that we are very close to determining the source of this most foul smell.

As you know, my residence sits opposite the home of Allen and Sherry Jenkins. They're the ones who (until the Board finally intervened last month) insisted on parking their petrol-guzzling, oil-dripping monstrosity of a vehicle in their driveway rather tucking it securely away in their garage as mandated by Grand Oaks' Homeowner Regulations. Since last February, the Jenkins' home has been in a state of severe disrepair, including, but not limited to, peeling paint, dirty windows, untrimmed hedges, and the aforementioned oil spots on their brick and concrete driveway.

You can imagine my enthusiasm—genuine unbridled enthusiasm—when I arrived home last Sunday morning from Pastor Cunningham's sermon on apostasy to see two young men sanding the exterior of the Jenkins home so that an appropriate high-grade primer might be applied. Unfortunately when I returned from my afternoon walk with Regina Rowe my enthusiasm was substituted with grave concern and—to be blunt—a measurable degree of suspicion. After a very brief conversation, I determined that the Jenkins' did not hire a licensed and bonded professional from the community's List of Approved Vendors and

Professionals, but instead plucked two of those illegally loitering immigrants from on the corner outside of Hardware Warehouse.

Now I don't want to get into another person's finances. If the Jenkins want to pay third parties in cans of tuna fish and Monopoly money, then that's their business. What is my business, however, is the sloppy, thick application of an acrylic-based, nasally-crippling, allergy-inducing paint that is neither Pavilion Beige nor Soft Suede, the two shades required by Grand Oaks Homeowner's Association Covenants, Conditions and Restrictions Section 4.1.

I did not wish to immediately jump to the conclusion that this constituted a deliberate, disgraceful and transparent attempt by the Jenkins to circumvent and abuse the laws of our community. So, just to be on the safe side early Friday morning, I took the liberty of letting myself in the pink wrought aluminum gate (color violation; see, Section 4.8) and used a small jeweler's screwdriver to chip four separate shards of paint from the garage door, backyard and the façade of the second story interior patio into three small plastic zip-lock bags. (The bags are enclosed for your analysis and have been marked as "Evidence Garage 1", "Evidence Garage 2" and so forth.)

Thank you for your immediate attention to this matter. I look forward to the results from your laboratory.

Yours,

Carla Anne Crouch

**DEPARTMENT OF JUSTICE
U.S. Marshals Office
Justice. Integrity. Service.**

**CONFIDENTIAL
Security Clearance Level Blue Required for Viewing**

**To: Operations
From: Field Agent 743
Subject: Relocation of Witness 387-909
Date: December 29, 2010**

Task Completed:

Witness 387-909 (“Witness”) relocated to Grand Oaks facility in Peoria. Will
continue to monitor.

Ordo Templi Orientis-Masons, LLC*

***A Non-Profit Secret Society
Peace, Tolerance, Truth:
Salvation on All Points of the Triangle**



DECODED MESSAGE

**To: Sovereign Sanctuary of the Gnosis
From: Secret Areopagus of the Illuminati
Subject: National Grand Lodge
Date: December 31, 2010**

The whole of the law has been done.

P.S. Peggy Knowles will be leaving us at the end of the month to join the Hermetic Order of The Golden Dawn. We are grateful to Peggy for her contributions and wish her well in any future secret endeavors.

ALUMNI NOTES

Daniel Peabody ('99) recently re-opened Peabody & Peabody, LLP. Dan wants everyone to know—"especially a certain special someone"—that he feels "really healthy" right now.

Dr. Jason Broth ('01) and **Piper Peabody** ('11) were married at The Plaza in New York. "After living together for the past six months we confirmed that we share common long-term strategic goals," says Dr. Broth. "We got married because we want to be together, for like, forever," says Piper. "Duh."

Clara Jean Carruthers ('08) won a teardrop camper playing "Hi-Lo" on "The Price Is Right." Clara correctly guessed a Shark Lift-Away Pro Steam Pocket Mop cost more than the jumbo-sized can of Morton's parboiled roast beef and gravy. "I don't eat much canned food these days. Plus, it looked like a pretty nice mop, so I went with it," she said. "I got lucky, I guess."

Charlie Simpson ('94) agrees to stay 100 yards from Greta Peabody. "What's all the hullabaloo? I wished Danny and Greta 'good luck' when they began dating," says Charlie. "Seriously, look it up in last year's notes. Here, I have a copy. See, it says, 'Good luck.'" (*Editor's Note: the full entry states, "Good luck, pretty boy. You think Greta won't suddenly decide that you're 'too needy' or that you 'need a plan'? Well, I've got a plan now, pal. A BIG plan. Mark it down. You haven't heard the last of Danny Peabody."*)

Amy Annette Bazlen ('09) bought a boat!

Peggy Knowles ('07) has been polishing her culinary skills. Last week, she made a pecan crusted salmon and Tuscan kale salad. A photo of that meal and thousands (I'm not kidding, there really are thousands) more food photos are available for viewing @WhatPeggysGotCookin on Pinterest.

Greta Peabody ('04) is back at her desk at Peabody & Peabody LLP one week after welcoming the birth of her son, Paul Gene. "Why would I *not* continue to work full-time? You're saying what—that a woman can't have a career? Is that it?" says Greta. "You're really something, you know that?"

Dan Peabody ('99) provides clarification: "You know, my initial note reads a tad ambiguous. Could you replace 'especially a certain someone' to 'especially G.P.'? (I don't want my inbox inundated with e-mails from all those wankers from Trial Ad). Also, if my behavior at the hearing on the Mathers File seemed 'unorthodox' or in some way 'lewd', well, I'm very sorry."

Sam "The Hammer" Albury, CPA, NRA ('98) will "lower the boom" if you are prosecuted by the ATF. "Enough is enough," says the proud American. "Don't let the government trample all over your rights. Hire the Hammer. It's simple: I don't get your guns back, you don't pay."

Mike DeVito ('04) prevailed in a massive class action against Scheer Manufacturing. Mike reminds any consumer who purchased an appliance warranty from Scheer Manufacturing in the past twenty-four months that her or she could be entitled to \$.35.

VITA

KEVIN L. CIFARELLI

1041 Augusta Drive, Oxford, MS 38655

EDUCATION

- M.F.A.** **The University of Mississippi**
Fiction, 2013
Full scholarship, Summa Cum Laude (3.92 GPA)
- J.D.** **Golden Gate University**
Law, 1997
First year scholarship
- B.A.** **University of California, Santa Barbara**
Law & Society (Criminal Justice emphasis), 1994

TEACHING POSITIONS

The University of Mississippi
Oxford, Mississippi
August 2011 – June 2013

Instructor

Courses: Fiction Workshop – ENG 311

Teaching Assistant:

Courses: Survey of American Literature to the Civil War – ENG 223
Survey of British Literature to the 18th Century – ENG 225
Survey of American Literature Since Civil War – ENG 224

The Yalobusha Review

August 2012-Present
Associate Editor, Fiction