

## That Losing Feeling

Bill had never lost a trial. For 27 years in the courtroom winning was all he had known.

But now, walking out of the courthouse and into the street all he could think about was the overwhelming sense of unfamiliarity he felt at being in this situation. Like waking from a sound sleep and finding that your bed has been transported to an unknown city.

The case was one he never should have taken. In earlier years he would have known better. The plaintiff – his client – could easily be seen as insane and seemed to constantly be crying; so much so that the press had dubbed her “Sobbing Sally.”

Her claims of recurring nosebleeds, migraine headaches, and severe depression caused by the noise and “electromagnetic currents” emanating from a wind turbine less than a half mile from her island cabin were dubious at best, lunatic ravings at worst.

Still, in measured doses and with adequate coaching, Sally did come across as believable and sympathetic. He had also dug up a very credible (and well paid) audiologist from Stanford who testified that repetitive exposure to low frequency sound could induce a wide range of negative conditions, from nausea to temporary psychosis. His expert even impressed the jury by citing a similar case proven to have been caused by a large ventilation fan used on a Hollywood soundstage.

In the end though, Bill should have known he was overreaching. He never should have put Sally on the stand that day. He had a sense she was close to the edge when she said, just a little too calmly, that she was eager to tell her side of the story. Bill never imagined her side involved tiny beings who were living in her nostrils and conspiring with the defendant – one of the largest utility companies on the eastern seaboard – to drive her mad with constant singing.

All Sally had to do was ask the jury to examine a handkerchief into which she had just blown some of “the aliens” and the case was all over. “We find for the defendant on all counts,” the foreman had said, after just one hour of deliberation.

Leaving the courthouse, Bill walked across the parking lot to his car, a 2007 Jaguar. He leaned against the expensive, sinuous fender thinking that he should head back to his office, but really not wanting to. The smell of frying onions wafting from a diner on Front Street served as a welcome distraction. He remembered that he had not eaten that morning and suddenly felt very hungry. Bill put his keys away and headed for the diner’s rear door. “I should slow down and enjoy things more,” he thought. “When was the last time I just stopped for a hot dog?”

As he walked into the small restaurant he was surprised by how sparse the crowd was. “I figured they would do a brisk business with the courthouse lunch rush,” he thought, but today at least the diner was nearly empty, with just two of its eight tables occupied. Bill took off his coat and elected to head right up and sit on a stool at the counter.

There was a waitress behind the counter with her back to Bill. She was just hanging up a wall phone and seemed to sigh deeply as she turned and said, "What can I get you?"

As she looked him over, the waitress imagined for a moment that Bill was an out-of-town TV reporter or an IRS agent, neither of which they saw too often in this establishment.

"I'm not sure. Can I see a menu?" Bill asked, not realizing that the waitress was standing directly under its backlit brightness. She silently pointed up with her pencil and revised her speculation – perhaps Bill was an escapee from a school for the mentally challenged.

"Oh I see," said Bill, looking up at the board. "Hmmm ... I'll have a BLT with the bacon really crisp – almost burnt – and mayo on the side, that is, as long as it is real mayonnaise and not Miracle Whip."

"No it's real mayo. I dipped it from the jumbo jar this morning," the waitress said.

She disappeared into the kitchen and began preparing his sandwich. Bill could see her head and shoulders moving up and down and side to side through the pickup window as she gathered ingredients and worked the grill.

Once she had everything in process the waitress (he noticed later that her name tag said "Marcy") emerged from the kitchen with a carafe of hot coffee and ventured out into the dining room to refill cups at the two occupied tables.

Bill was lost in his own thoughts and his eyes did not follow her as Marcy tapped the shoulder of one regular who she knew only drank decaf in the afternoon. "Need a warm-up hun?" she asked the man. He was dressed in a UPS driver's uniform and intent on completing the day's crossword puzzle.

"No thanks Marce," the man replied. "I'm driving to Presque Isle in an hour and I don't want to spend the whole trip looking for a bathroom. Do you know a six-letter word that starts with a 'T' and 'protects kitchen counters from heat'? I know I should get a crossword dictionary like you said, but it still seems like cheating."

She smiled at him, "No more so than asking me huh? I think you're looking for TRIVET," she said, spelling the word for him.

"Of course! Thanks Marce, I owe you one," said the driver.

"Put it on the tip Bruce" she laughed and moved back to the counter where she said to Bill, "I never asked you if you wanted some coffee or something else to drink."

"I suppose some coffee would be fine unless you have tea. You wouldn't happen to have PG Tips would you?"

“I don’t think so. Is that a type of tea?” She rooted under the counter in an unseen box. “We have Constant Comment or Lipton’s.”

“Lipton’s is fine. But can you make sure the water is near as possible to boiling and I’ll have it with some cream or half and half, not milk.” Bill paused a moment then added a “thanks,” almost as an afterthought.

“You’ve never come in here before have you?” asked Marcy as she prepared the tea.

“No, I don’t think so,” said Bill, “Although I must have passed by here three or four times a week for the past decade or so. I’m at the courthouse at least that often and I always park just out back.”

Marcy looked at him with a measuring squint and pursed her lips a bit. “Well that explains it. You’re a lawyer right? We don’t get too many of those in here unless they’re the type who hands out their cards in emergency rooms.”

Even if he had not been in a bit of a daze due to the verdict, Bill was much too convinced about the important role that lawyers played in a democratic and free society to notice Marcy’s obvious disdain. If he would have detected it at all he might have chalked it up to class envy or a simple misunderstanding about what lawyers do. Of course the truth was much deeper.

“Really? I’m surprised,” Bill said, “I would have thought you would do a brisk business with the lunch crowd from the courthouse.” Marcy was more than happy to set him straight as she placed the tea in front of him and stepped into the kitchen to finish constructing his BLT.

“Courthouse folks we get plenty of – mostly clerks, and secretaries, plenty of marital cases. Sometimes the bailiffs order a sandwich platter for a jury group, but the lawyers they pretty much prefer to spend their coin at The Corner Room or Walter’s.”

“Yeah, The Corner Room is great. I love their arancini,” said Bill, not understanding that Marcy had meant her comments as a put down. Seeing his obstinate cluelessness, Marcy felt anger boil up inside her. On any other day she would have been able to ignore it and simply place the BLT in front of Bill with not another word. But on this day Marcy could not stop herself.

“You really have no clue at all do you? Lawyers don’t come in here because we serve real people here and not idiots in suits who wouldn’t think twice before plunking down \$20 for fried breadcrumbs, rice, cheese and tomato sauce that I could make with ingredients from Hannaford for \$3.” Bill’s jaw gaped as he stared at her but Marcy was just getting started.

“Don’t look so freaking surprised that I know what arancini is,” Marcy said, her normally soft voice rising. “Damn your milky tea and go back to wherever you came from!”

Marcy stopped, shaken by her own outburst. She could barely believe the words that had come out of her mouth and put her hand to her lips as tears formed at the corners of her eyes. She looked at Bill for one second more and then retreated into the kitchen.

Bill looked at Marcy through the pick-up window as she buried her head in her hands and cried softly. He felt paralyzed by her words, not wanting to stay where he was clearly unwelcome but hoping to ameliorate the offense he had so obviously and unintentionally caused.

Bruce had heard the last few words Marcy had said and got up from his table. Looking with disgust at Bill he walked to the counter and asked, "Marcy is everything OK?"

Marcy did not want to escalate her explosion any further and waved Bruce away. "It's OK Bruce. I'm just a little out of sorts. It's alright." She walked back out of kitchen with a forced, tearful smile on her face. "I think I just burned the toast."

"That's okay," Bill said apologetically, "I actually prefer my toast dark."

Marcy looked at him, shook her head slightly and laughed, "You sure you're a lawyer because you really don't lie very well."

Bill got up to leave, "I'm sorry. I didn't mean to upset you. I'll go," he said. But before he could put on his overcoat Marcy rushed out from behind the counter and put a hand on his arm, "Please don't. I'm sorry, I was so rude to you and if you leave now I'll never have a chance to make it up to you . . . you surely won't wander in here again after being flown at like that." Bill looked puzzled and a little sheepish.

Marcy urged him, "I'm sorry. Please sit down, and let me finish making you that BLT."

"Actually, I hate to be a bother but could you just make it a grilled cheese with tomato? I've just been thinking that my son would kill me if he knew I was eating cured bacon."

Marcy just looked at him, thinking she couldn't have heard what she just heard. Bill's face was unchanged for a moment, staring at her and then something like a grin broke out across his cheeks and he said, "C'mon, how clueless do you think I am. Of course I'm kidding."

Her nose crinkled up and a smile broke out of her tears as Marcy let down her customer friendly walls for a second time that day and said with conviction, "You're really strange, you know that?" She stepped back behind the counter and Bill hung his coat on a hook by the door and sat back down.

"Lunch will be right up," Marcy said then she took away his tea cup and said, "Let me freshen this." Bill decided that after smoothing things over everyone would be best served by him saying as little as possible, so he just nodded.

He looked around the diner and wondered about some of the other folks who obviously were regulars. Marcy had called the UPS man Bruce. Bill looked a little closer and a name was stitched on his brown uniform shirt. It said "Ted."

Bill knew he should just remain quiet and wait for his lunch but the old investigator inside him perked up and he spoke the words almost without thinking, “I heard Marcy call you Bruce but your shirt says Ted. Is Bruce a nickname?”

The UPS driver had not realized the question was directed at him until he heard his name. He turned to Bill frowning – after all, to him this man was someone who had, moments ago, made his friend cry. But Bill had not become one of Maine’s most successful trial lawyers by being a fool. His smile was innocent and disarming. Bruce saw that Bill’s question was honestly curious and he answered truthfully.

“Ted’s my brother-in-law. I was helping him move an old stove just before my shift and ripped my uniform shirt so he loaned me one of his.”

Bill nodded thoughtfully and turned to take a sip of tea. It was just the right temperature, not too hot, and surprisingly flavorful. “The cream must be the real thing,” he thought, then turned back to Ted (“No, his name is Bruce,” he remembered) and said, “Does your brother like driving for UPS?”

Bruce, who was determined to finish his crossword before heading out, looked up slightly annoyed and said, “Yeah, I guess so. Right now he’s just happy to have a steady paycheck, like most folks I expect.”

Marcy looked out the pickup window across from the lunch counter and was pleased to see that conversation was returning to something closer to normal. She silently chided herself again for her outburst. With the hope of keeping things moving in the right direction she said, “You did Ted a real service setting him up at UPS.”

Bruce looked a little embarrassed. “It was nothing,” he said.

Bill looked at him and then turned back to his tea. He was wondering if Bruce felt bad about having to get his brother-in-law a job or if he just disliked having attention directed his way in public.

Bruce got up and folded up his paper. “I better go wash up before I head out,” he said, heading to the men’s room at the back of the diner. Bill looked over his shoulder and watched him go.

One of the things that he would often do to pass the time was speculate on the thoughts and motivations of people he saw on the street or encountered in an elevator. Bill rarely found out if his musings were right but he felt that just wondering helped him tune up his perception skills, which had always come in useful in the courtroom, and which he felt were certainly failing him today. He thought some more about Bruce as Marcy came out of the kitchen carrying a plate. She laid it down in front of Bill.

“Here’s your sandwich. Nice and hot. I forgot to tell you before that all our sandwich platters come with a pickle and a choice of chips or slaw . . . Since I wasn’t sure which one you’d like, I gave you both.”

Bill looked at her, surprised. “That’s really nice. Thank you. I think the last time I had a chip was at a Super Bowl party two years ago. I used to be a junk food regular but my son is an athlete – he was All State in Cross Country at Waynflete. He really turned me around.”

Marcy put on another pot of coffee and some hot water for tea; then looked back at Bill. “Did you take up running?” she asked.

Bill shook his head, swallowing the first bite of the sandwich. It was really good, with the bacon just right.

“No, it’s just I changed my ways bit by bit when I started to realize I had more to gain than I had to lose.” He could see by her quizzical look that Marcy did not understand, so he put the sandwich down and wiped his hands with a paper napkin.

“I was sitting on the couch watching the Thanksgiving Day Parade about three years ago. Instead of having Thanksgiving dinner at our house, we were at my sister’s in Providence.” As Bill continued talking Bruce came out of the men’s room and began gathering up his paper and brown UPS jacket.

“It was early, only my sister and niece were up. They were making breakfast in the kitchen and I was sitting on the couch watching the Macy’s parade thinking how much I hated it because they kept showing the hosts, who were two people I had never even heard of, rather than covering the floats or the marching bands for more than a second or two.”

Marcy nodded her head, “I know what you mean, I stopped watching it for that very reason. It’s nothing but a big commercial for stores, Broadway shows and TV now.”

Bill nodded in agreement, took another bite of his sandwich, chewed and swallowed, then continued, “Anyway I’m watching the parade, thinking how much better it was when I was a kid and I’m eating some candied nuts that my sister has in a dish on their coffee table. Then my son comes downstairs, he’s all dressed in his track pants and a Dartmouth sweatshirt I bought him last birthday and he starts lacing up his running shoes. ‘Come for a walk with me down by the park,’ he says.”

“At first I barely heard him, between the chewing and the talk talk of these hosts, so he comes over by the couch and says again. ‘Pop, come walk with me.’” Bill noticed that Bruce and Marcy were both listening and he realized they wanted to hear what came next. It was a look he had seen in the eyes of many jurors before – each time he knew he had a winning case – but this time the story was his, not a client’s, and he hesitated a moment before continuing.

“Instead of getting up off that stupid couch I tried to tell him how bad the parade was and how dopey the hosts were but he wouldn’t bite. ‘Well let’s go find something better,’ he said, and he started walking toward the door. Well, I had to follow him. He’s my son. So I put on my shoes and my jacket and we went outside. It was a beautiful fall day. You know, that kind of crisp, clear day when everything feels like apples and wood smoke.” They nodded their understanding.

“We must have walked two miles that morning and the one thing I felt more than anything was . . . alive. Everything since that day has been a little bit different, and not eating chips every day or candied nuts in the morning is just a little part of it.”

Marcy smiled; then looked mortified, as if she had just fed an allergic kid a peanut butter cookie. “God, I’m so sorry about the chips. I didn’t mean to tempt you. I should have asked first what you wanted.”

“It’s not a problem,” Bill said, “I think having one or two isn’t a going to set me back, because I really don’t need them anymore.”

Marcy, Bill and Bruce all looked at each other and thought a bit about what that meant. Bruce put on his jacket and spoke. “I guess instead of filling your life with junk or nothing at all, you’re trying to fill it with things that matter. I think that’s what we all hope for.”

Both Bill and Marcy were surprised by his contribution and he saw it. “Marcy, you know how you said before that I did Ted a favor getting him in the door at UPS. Truth is, I knew he was the right man for the job. The only thing standing in his way was a bunch of clichés about brother-in-laws that I imagined my friends might throw at me. I could have gotten him a driver’s seat there two years ago, but I let that crap get in the way of my judgment about the kind of person he is. Hope I know better now.”

Bruce put on his cap, nodded to both of them and walked out.

Bill continued eating his sandwich while Marcy went into the kitchen. As she busied herself cleaning up the grill and putting away things, a young couple who had been sitting quietly at a table in the back corner got up, put on their jackets and came to the cash register to pay. Marcy came out of the kitchen and rang up their bill, “That’s \$16.80 Greg.”

The young man handed her a \$20 bill and started to walk out. “Thanks Miz Annton. Make sure you say hello to Jeff for Jill and me,” he said as he opened the door. The woman, who must have been Jill, said “Bye,” very quietly and then they both were gone.

Bill watched the door, hoping that someone else would enter the diner and break the silence that echoed between him and Marcy. He was normally a very reserved person and here in the space of about an hour he’d lost a major case in front of a packed courtroom, made a strange woman cry, then confessed to her and her UPS driver/bodyguard how a Thanksgiving Day walk with his son had changed his life. As he finished his sandwich he thought that all of this was more personal revelation than he wanted for your basic Tuesday afternoon.

Still, he could not help but be curious about Marcy’s earlier outburst. She seemed so stoic in some ways. He knew he was stereotyping but Bill believed that many stereotypes existed to help us make sense of the complications of life – a kind of emotional shorthand. He stared at the few chips left on his plate next to a crust of toast and thought about what to do next.

He should probably get back to his office and return a few of the press calls that were, by now, certainly piling up in his voice mail. His partners, Heidegger and Joubert, would expect and deserve a rundown of what went wrong. His firm had taken the case on contingency, based on Bill's reputation and his reading of the potential damages, but costs had been significant. The audiologist alone had demanded nearly \$20,000. They were not going to be pleased.

Marcy stepped away from the cash register and walked back into the kitchen. Her voice a moment later knocked Bill out of his reverie. "Do you want some more tea?" she said. "I just refilled the kettle."

"That would be great, if it's not too much bother." Bill thought how funny it was that the last thing he wanted to do right now was leave this place where he had felt so unwelcome just a short time before.

"No bother at all. Let me get you a fresh cup and tea bag." Marcy smiled, cleared away the tea cup and dug under the counter for a new one, and then she stopped and looked off into the distance as if she was thinking deeply.

". . . You know, I like the taste of tea but maybe that's why I never really developed the habit to drink it much," she said.

"I'm not sure I follow," Bill said quizzically.

She put the cup and wrapped tea bag in front of him and explained.

"Well, I serve coffee all day long and I would be lying if I said I didn't pride myself on the quality we brew. I only use this Hawaiian Kona Blend that's roasted right here in the Old Port three times a week. The owner is an old high school friend so he gives me a good price. We grind our own beans and twice a week I clean the pots and grinder with a vinegar solution that really cuts down the bitterness."

Bill's eyebrows rose a bit and she could see he was impressed with her attention to detail.

"For all that trouble though, we don't advertise as a destination for great coffee. I just rely on my customers to know that we have it and it will always be that way because that's how my father taught me to make it. Thing is, I have no clue how to make a really great cup of tea. No one much asks for it much and I never had anyone teach me how."

Bill thought a moment, pleased that she had confided in him and impressed that she showed such pride in her trade. "I think people would ask for it if word got around that you could do a proper English tea. You're on the edge of the Old Port and there's a lot of tourist business to be had . . . if you wanted that sort of traffic," he said.

"A paying customer is always welcome here," she said, forgetting about her earlier rudeness, then remembering with almost a laugh as Bill's face turned sheepish and he chuckled a bit. "...well, 99 percent of the time at least."



“I could show you how,” Bill said. “I lived in England for a couple of years while I was in government and it’s really not very hard to brew a good cup of tea. Much easier than coffee I think.” In their own way, both of them were trying to make gestures to smooth things over. Gently, they felt their way forward in the conversation.

“I’d certainly appreciate any advice you could offer, Marcy said, and as she spoke a trio of elderly ladies carrying oversized handbags came in the diner’s front door. They hung up their coats, said hello to Marcy and sat down at a table in the middle of the restaurant. Marcy walked out from the counter to tend to them.

The first lady who spoke had on a sweater with a vaguely Christmas theme and really large glasses that had gone out of style sometime before 1985. “What kind of specials do you have today Marcy? I was hoping for one of Jeff’s Roast Beef Reubens but I don’t see it on the board.”

Marcy winced like she had a small pebble in her shoe and said, “Sorry ladies, no specials today. I’m a little shorthanded so just the basics. Coffee’s hot though and I have some fresh blueberry pie to go with it.”

Despite the blueberry pie, Bill could tell the trio was a bit crestfallen. They each ordered sandwiches with chips and pie – one asked for some skim milk for her coffee – then they proceeded to dissect their shopping day so far. Marcy went back into the kitchen to prepare the sandwiches.

As she was working, Bill took a pen and legal pad from his brief case and began writing. “I’m writing down my recipe for great English tea. You can try it at home and if you like the results, I’m sure it would be transferrable to your operation here.”

“Thanks,” Marcy said. It felt like the right time to use her customer’s name but she realized, she did not know it. “You know in all the back and forth I never got your name. Sorry about that.”

Bill stopped writing and said, “No problem. My name’s Bill . . . Bill Ayotte.”

Marcy looked up from her work and said, “Nice to meet you Bill, I’m Marcele Annton.” She finished putting the sandwiches together and carried all three plates out to her waiting customers. “Here you are ladies. Would you like your coffee now or with your pie?”

The lady with the glasses said, “Oh please now Marcy; we’ve been going from shop to shop in the Old Port since 10 and it’s getting cold out there.” Her companions nodded in agreement and Marcy filled two coffee cups from a large urn and carried an extra pot of java with her to the table. “Here’s some coffee for Linda and Jen. Glenda, if I remember correctly you drink unleaded, right?” Glenda nodded and held out her cup. Let me clear away these extra cups. There’s sugar and cream on the table and I’ll be right back with your skim Jen.”

Marcy zipped into the kitchen and was back in 10 seconds with a small metal creamer of skim milk. She placed it on the table. “Here you are Jen, can I get you ladies anything else?” They

shook their heads, mumbled their gratitude and Marcy made her way back to the counter as Linda, Jen and Glenda continued discussing their shopping.

Bill looked at Marcy as she put the coffee pot back on the warmer. She turned to Bill and saw he had finished writing his tea recipe. He pushed it towards her. "If you want to try it, the process is really pretty easy. Warming the cups helps."

Marcy took the paper in both hands, read it over and then tucked it into a pocket on her apron. "Thanks, this is great. I will try it. I just need to find a good supplier for the tea. Obviously Lipton's won't do."

"You can get PG Tips in big boxes online, although it's not individually wrapped like these. Tetley or Typhoo are other brands I used to drink pretty regularly in London." Bill stopped, realizing that he was talking now just to fill space and probably telling Marcy more than she wanted to hear.

Marcy smiled, then hesitated a moment, not sure how to say what she wanted to say, so she just started with an apology. "I'm really sorry about before. I can't explain it. I'm not a rude person, really. I hate that kind of behavior. Today has just been really hard and I let it get to me. I just wanted to apologize because it wasn't about you."

Bill could see she was being sincere. One of the benefits of being a lawyer was learning early on how not to hold a grudge. It was a necessary skill when today's adversary in court might be tomorrow's co-counsel. "It's OK," Bill said. "I kind of figured that I touched a nerve somehow. Lots of miscalculation for me today too, so I understand. You really have your hands full here. Did your cook call in sick?"

Marcy's face became very neutral and she said, "No, my son Jeff normally mans the grill but he couldn't be here today. . ."

Her words seemed to trail off as if there was more to say and Bill was curious but decided it would be better not to ask; instead he thought about his own son, John, and how he needed to call him later to tell him about the verdict in the Sally case. "I hope you make it through the day OK," Bill said. "You mentioning your son reminds me, I have to call my own boy."

"Is he still in school?" Marcy asked, pleased to have the focus away from her and Jeff.

"No," Bill said, "He finished Dartmouth three years ago and he's working down in Washington. He's an assistant producer for NPR. I had hopes that he would go on to law school and come to practice with me but he wanted to tell stories instead."

He smiled to himself thinking about his tall, handsome son. John had such spirit. When he was a boy, Bill worried that his son might never find something serious to be passionate about in the same way that Bill loved the law; as a boy John's enthusiasms burned strong and hot for about a minute then moved on to the next thing. "Still," Bill thought, "He never let anyone call him Johnny – not even his mother – he always insisted on John. I should have noticed that."

“I should have had more confidence in him,” he said aloud, continuing his own thoughts rather than his conversation with Marcy.

“Sounds like he ended up in a good place despite you, but I’ll bet it was with plenty of your help as well,” Marcy said as Bill considered her words. She looked down at the counter with a sigh. “I wish my Jeff had been so lucky to have a father to look up to or at least to give a damn. Let’s just say I made a pretty bad choice who I had him with.”

“Is his dad still around. Does he stay involved at all?” Bill asked, then added sheepishly, “If you don’t mind me asking.”

“No, it’s no problem, and to answer your question, his father comes around only long enough to beg for a favor, or some cash, and then disappear again . . . but unfortunately never for very long. That’s the problem now. Jeff went off with his father last night and got in some trouble. He called me this morning from the county lock-up.” I missed the call but he left a message just saying he was arrested.

“Oh gosh, I’m sorry,” Bill said. “I bet that was the call you were just hanging up when I came in.”

“No. I was talking with a friend who’s a clerk in the county sheriff’s office. She said Jeff is being held on possession of drug paraphernalia. She didn’t know what it was they found but she thinks it could be serious.”

Bill looked at her, wanting to say something, but clearly hesitating. At this point though, Marcy would have accepted assistance from the Devil himself. She saw his look and urged him to speak. “What is it? Is that a pretty serious charge?”

“No, not on its own,” Bill said, “But can I ask has your son been in trouble with the law before? Is he on probation, parole or out on bail on any type of felony charge?” For the first time since walking into the diner Bill felt like he was back in his element.

“God no! That’s why this has me so thrown.”

Bill could see Marcy was embarrassed to be so vulnerable. He thought of how strong she obviously tried to be and his empathy for her grew with every word as she continued.

“For years I’ve tried so hard to keep Jeff away from his father’s whole, sleazy world. You see I really had no idea of who the man was and what he was like when I met him. I was young, stupid and I completely fell for his charm. I didn’t know that he was just out of jail and selling drugs all over town. And when I found out what he was like and what he was involved in I cut it off immediately. But by then I was pregnant with Jeff and, like it or not I’ve been tied to this man for 20 years as a result.”

Bill thought a moment. “If Jeff truly hasn’t been convicted before and even doesn’t have a charge on his record then this is likely something that can be dismissed or pleaded down to a

misdemeanor with a small fine. My guess is they are using the charge to press him for information about his father and anyone he might be working with. If you give me Jeff's full name, address and such, plus the same info for his father I can make some calls and find out more. The County Prosecutor is an old friend."

Marcy started to cry. The tears flowed not from fear or even joy, but how Bill's offer of help had broken through the façade of strength she had been maintaining since she heard about Jeff's trouble; and even earlier. In fact, the work that Marcy had done over the years to raise Jeff and help him grow, and learn, and prosper, all under the shadow of his father's neglect had made her feel as if she could never ask for help – especially from a man. Somehow she needed to show her son that she, and by extension he, could handle anything.

The only problem was, today at least, it just wasn't true. Today at least, Marcy needed help, and she had rarely been so grateful to have it offered up freely.

Bill saw her tears but this time he was not surprised or taken aback.

He was a father. He understood and waited for her to calm enough to speak. The three ladies lunching looked over at Marcy with a mixture of concern and embarrassment on their faces. For the first time, Marcy ignored them and slowly composed herself.

"I could never ask for a favor like that," she said, "Especially after the horrible way I spoke to you earlier, but I have to tell you that I'd like nothing more in the world than for you to make that call. If you would . . . all I could say is 'thank you.' "

"It's really not a problem." Bill got out a small Moleskine notebook and pushed it across the counter. "Just write down Jeff's full name, address and such, also any information you have about his father would be helpful."

"Of course – It won't take a minute." When she was done Marcy handed the notebook back to Bill.

He got up, took out his phone and walked over to the vestibule that led out to the rear door. Marcy could see him dialing and then talking to someone, looking down at his notebook and dialing again, then talking some more. After about five minutes he came back to the counter. "Well, I talked to the Prosecutor and he confirmed for me that Jeff is not the focus here. His father and some associates are. Turns out I also know one of the arresting officers so I called and left him a message. I expect he'll call me back within the hour and I can learn more. Jeff is being held at the county jail for now. I should go down there and try to talk to him as soon as the officer calls me back."

Marcy sighed. Bill had not added much information to what she already knew but just having confirmation that Jeff might have a way out of this was an unexpected ray of hope.

"If he tells you all he knows, could you use that information to negotiate his release – maybe get the charges dropped or reduced?"

Bill nodded, "That's exactly what I'd be advising Jeff to do. He won't know me from a stranger so it would be helpful if you could write him a note introducing me and asking him to talk with me candidly."

"Of course," Marcy said, reaching for an envelope with the diner's name and logo on it. She began writing on it as she continued, "I can't thank you enough, but whatever your fee is for this kind of work, I'll gladly pay it."

Bill smiled a bit, he had been so pleased to be able to use his skills to help this woman that money had truly not occurred to him. "Well, my usual fee for criminal defense work is \$400 per hour, but I think for now we can call this a pro bono case."

Marcy just smiled and finally noticed that the lunching ladies were gesturing to get her attention. "Excuse me a minute? Thanks," she said and walked over to their table.

Glenda spoke for the group but you could see from their faces what all three ladies were thinking. "Marcy, I think we just need our check. I hope everything is alright with Jeff. We couldn't help but hear what's going on. What happened?"

"Thanks for asking Glenda. Really I appreciate the concern from all of you, but Jeff is going to be OK. It's just a little misunderstanding involving his father. My friend Bill is going to help us get things cleared up." She gestured toward Bill as she said his name and he felt glad to hear it.

Marcy laid the check down on the table and said, "Bring it up to the register whenever you're ready. No rush."

As she walked back to Bill, he was surprised to see that her face looked pleased, almost happy. He couldn't account for it until she whispered to him, "I know I should be bothered but in their nosy way I know they care. The curiosity alone will bring them back a few more times this week." She returned to her normal voice to ask, "Can I get you another cup of tea while we wait for that call back? I'll see if I can try out a few of your tips and you can tell me if it makes a difference."

Bill nodded, "Yes please."

As Marcy was busy in the kitchen Bill wondered to himself why he had offered to help her son. He could have chosen to stand mute or even ignore her distress and leave the diner as quickly as possible. After all, he had his own issues to be concerned with today. He was actually surprised that neither Heidegger nor Joubert had called or emailed. Perhaps they had not heard the Sally verdict yet. He checked his iPhone again just to be sure he hadn't missed a call. He did have two texts, one from a reporter he knew at the Press Herald asking for a reaction to the decision, and another from John asking about the trial.

He had talked with his son two days before. John was always considerate about showing interest in Bill's work. The two had always been close, sharing an interest in skiing, history, jazz and

travel, but the last seven years had deepened their bond. It was something Bill was grateful for, especially since he had seen just the opposite happen in other families dealing with a significant loss.

It had been just before John's graduation from Waynflete that his mother, Karen, had passed away.

Karen was the youngest child of a wealthy Boston family. Her parents had died years before but the brother and sister who remained, along with a raft of cousins, were kind, close and stable – just the kind of family everyone hopes to have. She and Bill had met in college and married as soon as he finished law school. John was born two years later.

As a result of her comfortable and fairly drama-free life, Karen had confessed to Bill that she sometimes felt twinges of guilt. She would find herself asking, “Who am I to have this comfortable, peaceful life? I have a beautiful and healthy son, a kind and loving husband, plenty of money, good friends, a nice home? Why me?” Bill always listened and tried to reassure her, but his private feeling was that she should not call the Devil.

Not surprisingly Karen was very involved in charitable work and the community. Bill could see that his wife tackled this work in a really selfless and interested way but it had the added benefit of making some wonderful connections that helped his practice.

But when John was 10, Karen was diagnosed with breast cancer. It was detected fairly early but doctors said the tumors were present in both the ducts and lobes of the breast, making it more difficult to deal with. Karen was unfazed. In all his years as a trial lawyer Bill had seen many people face life-altering events, even death. Not one of them showed the determination and sheer guts that Karen did.

She said this was the trial that her life had been building toward. She could finally prove herself in battle. You might imagine that many a rich man's son in the midst of World War II had similar feelings.

It took 18 months, but after a mastectomy, three rounds of chemo and reconstructive surgery she was declared cancer-free and Karen continued on, barely missing a step in her life. Beating the cancer gave Karen strength and a sense of surety that she had sometimes lacked in the past. It showed itself in positive ways when she took up riding and helped found a charity benefitting Russian orphanages, and in ways not so positive – such as the affairs she initiated. Actually, “affair” was Bill's polite term. Karen, in a completely uncharacteristic vulgarity simply called it “freedom to fuck.”

Bill might have never found out about her new attitude, but Karen was not someone who lies or deception came to naturally. Instead, she asked Bill to take her to dinner at a new place down the coast one night. They had a great meal and then she surprised him by saying John was staying with friends and she had booked a room for them at a nearby bed and breakfast.

They made love that night with a passion that they had not shared for some time. But in the afterglow Karen stated rather plainly that this was not the first time she had visited that particular inn. While Bill lay stunned on the bed beside her, she detailed several recent encounters she had initiated – all with people Bill did not know and who he could not fathom her ever knowing. She told Bill that she did not want there to be any secrets between them, that she still loved him deeply, but that she needed to feed a hunger that she said she had felt for quite a long time. She hoped he would accept her decision, but she was prepared for whatever may come.

Bill was never someone to scream, hit or make hasty decisions in an emotional moment, but the confusion and displacement he felt that night took months to dissipate. In the end, for the sake of his son and the love he still felt for her, he accepted the new normal. He posed these conditions on her – that she practice safe sex, and never have an encounter in their home or with someone he knew. She agreed that these were reasonable requests and things continued on from there. Nothing was the same, but to the outside world their lives chugged along with a new force – a new will – that each had only touched upon before.

Karen spent more time in Boston and was even more ambitious in her charity projects. Bill threw himself more deeply into John's activities and also into his practice.

For the first three years of his legal career Bill had been an associate at a prominent white shoe litigation firm in New York. Sixty hour work weeks were commonplace when you were expected to bill nearly 2000 hours a year. The rush of the work had appealed to Bill but once John was born he moved his family back to Maine, where he had grown up. He had become one of the most respected litigators in the state while still maintaining a family connection that few of his NY peers could ever hope to have. But with Karen's new life, everything he thought he had been building was thrown into doubt.

He had become slowly numb to all of it. On a few occasions Karen had tried to draw him into her involvements, or suggest that he might pursue his own freedoms. Bill could not explain his hesitation to her and really did not want to.

Bill never could bring himself to touch her passionately after the night of her confession, but they settled into a stable co-existence that only seemed strained to John, who knew them best and loved them both.

It continued on that way until one spring morning, just as the tulips were sprouting and Maine was starting to feel like less of an icebox each day, she slept and did not wake up. He had left early for a track meet with John. Bill swore when he left that Karen was still alive – still warm and breathing softly. But when they returned that afternoon he was surprised to find her still in bed, and very cold. Doctors said it was a sudden brain hemorrhage, unrelated to the cancer or its treatment – just fluke chance.

Bill hadn't thought about those days in a while, but with John gone to DC and work providing ever emptier challenges, perhaps it was past time for Bill to examine what the last several years had brought, and what the future was likely to bring.

Marcy came out of the kitchen and placed a new tea cup and pot of tea in front of him.

“I wasn’t sure of the best way to warm the cup so I put it in the microwave for 15 seconds. I let the tea steep for about 10 minutes like you suggested although these small metal teapots are probably not ideal. They lose heat too fast. I should see if my crockery supplier has some small ceramic ones that are sturdy enough for everyday use.”

She went back into the kitchen for a moment and he could hear her voice as she bustled in the cooler. “Let me get you some fresh half and half. I use it to make soup but I can pour some in a creamer.”

Marcy placed the nickel silver creamer next to his cup. “Let me know what you think,” she said, obviously eager that he try the tea. Bill poured the tea into his cup, stirred in some cream and laid the spoon down as he took a sip. It wasn’t as hot as he liked it, but definitely an improvement over the earlier cup he had drunk.

“Much better,” he said. “I think you’re right about the ceramic teapot though. It would keep the water that much hotter as the tea steeps and warming the cup really helps. Thank you so much for this. I really appreciate the effort.” Bill smiled at Marcy and he could see she was pleased.

“No thanks necessary,” she said. “I’m sure you are right about a good tea service bringing in customers, so that’s two favors you’ve done for me today.”

They were just silent for a moment. Bill sipped his tea and thought about how to tell his partners about today’s verdict and whether he should call the reporter. He knew John would chuckle at what happened and try to make him feel better by listening to all of the ins and outs of the case while gently ribbing him about the ridiculousness of his client.

Marcy thought about Jeff and wondered if it would be best to give him the day off tomorrow, assuming Bill could get him out of jail today. “Maybe working would be the best way to keep his mind off all this,” she thought. She knew they would need to have a long talk about what had happened, but that could wait for another day. “Please Lord, just bring him back to me safe,” she prayed silently.

Just then, Bill’s phone rang. Marcy held her breath a moment as he checked the number and answered. “Bill Ayotte,” he announced, using his courtroom voice. Marcy could hear the intermittent buzz of another voice on the line as she studied Bill’s face.

He nodded, as if agreeing with an unseen friend and said, “Thanks for calling Walt. I want to talk about Jeff Annton. He’s a client ...”