

The Case Runner

by

Andrew Kass

< 1 >

I was at my desk, one of the last upstairs lights above East Las Olas on a late February evening when Bree Wayland called. Her transplanted Carolinian drawl was a welcome break from the Jasme Research company paperwork.

“Jaden! I didn’t expect to get you in at this hour.”

“Then why’d you call?”

She laughed. Another welcome sound.

“There’s this matter I’m starting on and could use your help. I’ve taken on three Jane Does in a kind of medical products liability and malpractice case. From just the little I’ve seen, this ain’t but the hog’s snout in the silo. I’m looking at a sizeable plaintiff class with significant provable damages.”

I’d worked with Bree before. She always went country at the prospect of a lucrative case.

“Damn, Bree, that plays like porn here. What’s the product?”

“It’s a tissue replacement and regeneration therapy called Second Skin, manufactured by Nuvoco, a closely-held company registered in Florida.”

“Hm.” I outlined the details on a pad, with marginal questions – *Where HQ? Who owns? Prod history? How dispensed?* “What kinds of effects are you seeing?”

I was finished writing, then waited a little longer, before Bree responded.

“It’s ... unusual. Tell you what, I’ve got a file here it might pay you to read. Say we talk in person?”

Also not an unwelcome prospect, though Bree was very involved with a touring tennis pro. I was in the process of being cut loose from Delia, who had always given me the side-eye when I mentioned Bree.

“Sure. My office? Yours?”

Another empty hum.

“Um, sorry, just trying to wrap my head around this material myself. Time to get out o’ here. Say y’all meet me at the Starbucks at Federal Highway and Broward in half an hour. I’ll give you what I got.”

We rang off. I glanced at the pay records and closed the folder, locked it in the drawer under the desk’s return. The lead came at a good time. I’d run my team, Tommy and Vanique and the new kid Wyatt, pretty ragged running up to the January court session and had let them out a little early the past week or so. Time to feed the bear.

I drummed my fingers on the polished chestnut desktop and consulted my one good watch, a silver Victorinox from a Swiss Army officer’s kit, my last birthday gift from Delia. About 8:30. I pushed up from the desk and turned to look through the blinds and polarized windows at East Las Olas Boulevard: South Florida winter, where you need a scarf and jacket and the palm trees shudder in a gray chill, where Snowbirds walk around in windbreakers or rugby shirts chirping *You should see what it’s like back home!* Nighttown

galleries and shops and cafes were open, but no one was dawdling on the sidewalks and there was a peachy damp sheen on the pavement.

I wrote *Wayland* on the whiteboard then hooked my suit jacket from the back of my desk chair and whipped it on. It was a blue pinstripe on ash gray with the fabric and drape of a better suit. I grabbed my black raincoat from the back of the door. Hit the light on my way out to the reception hub, passed Tommy's desk and made sure everything was off in the conference room, the storeroom/kitchen and The Pit. The Pit still had a scent of Vanique's sandalwood perfume mixed with a greasy note of Wyatt's onion rings. *The Matrix* poster was peeling away at the top corner; I patted it flush for the moment, and stepped back out to the hub, where there was just sour silence, waiting.

Cream walls, chrome and maple chairs at a small table under a framed poster of Fort Lauderdale Beach, Tommy's plain maple veneer desk below a plaque with the company name: that was it. During the downturn, with receivables stretched and plaintiffs bar budgets tight, Delia's folks had ponied up a loan to keep the lights on. Separated or not, I was still paying. Ten years' work, eight hundred square feet that could be anything or anybody's with no makeover should I one day not return.

I shut the light, stepped out to the hall and locked the deadbolt. Faced the satin steel *JASME RESEARCH LLC*. A life's work.

I dragged my blues down the hall, past the restrooms and the closed door of CodeBurgers, whose small back office was pulsing with roots reggae. Lionel Hendry had taken my word to the wise and cut down on toasting herb in his software development shop, which might have been awkward on the rare occasions where we had clients or guests up. He had even done a few jobs for me where an extra level of access proved helpful.

At the end of the hall I turned and descended the long flight of stairs to the vestibule and the street.

L'Etoile Jewelers was still lit, but not for much longer. I waved at Marcus LeVine through the windows as he removed the display pieces to his vault. He nodded. Having two businesses with odd hours upstairs was a security benefit to him, and he was good about carrying up a bottle of wine for us and for Lionel around the holidays. It helped me to ignore that his markups were appalling.

I buttoned up my raincoat and walked west on Las Olas toward Federal Highway. It wasn't far from where I was at SE 9th to the plaza that separated my small-scale part of Las Olas from the business district, where some of my better clients were located, including Bree Wayland. The wind was luffing, now cold in my face as I turned up SE 8th, then damp at my nape, a sure sign that rain was lurking.

The funny thing is, my folks wanted me to be a lawyer.

It's a profession. You'll always make a living. Like Uncle Mike.

That was before Uncle Mike, my father's older step-brother, went to prison for skimming trusts. He died there, in pretty short order.

After sitting through more of Dad's drunk disorderly and domestic abuse hearings than I could count, I wasn't interested in law. I majored in computer science, with a minor in bookmaking, as a runner for Sweet Clete Sojack. I had a little credit card harvesting going on the side: go-go growth businesses practically invited me to grab their transaction data for resale, and in a pinch I could Netstumble my way into wide-open WiFi.

But I was better at getting the info than covering my tracks, so I also did a little time. Unlike Uncle Mike, I not only got out in 18 months, but emerged with a profession, funnily enough related to law, in about the same way as I was related to Uncle Mike.

The Starbucks was planted at the intersection of two six-lane thoroughfares, placed as if to defy pedestrian walk-ups. I was five minutes early but Bree was already sitting at a bistro table in the back corner with a coffee cup. I bought a bottle of orange juice and walked back from the counter.

Bree rose to shake hands, a strong tennis player's grip. Her powder blue jacket looked pretty dry, so her car would be out back. I settled in, studying the pale spotlight on her side-parted straight blonde hair and high cheekbones.

"Thanks for coming, Jaden," she said quietly, her eyes paging to the door. "This folder on the table, don't open it now, take it when you leave. It should be enough to get you started. Usual terms?"

My finger traced a drop of condensation along the tabletop away from the folder.

"That depends. This isn't product liability or construction defect, it's medical, the leads have to be that much cleaner and the information's that much more sensitive." We had worked those other kinds of cases for her since she'd left Donagher & Lyle for her own shingle. "From the tone of your voice, I'm thinking more like \$695 per."

That got those doe eyes on me, for a moment. She smiled ruefully into her latté.

"Yeah, well, I guess it could be that kind of case."

She sipped the drink, her eyes returning to the door.

"Who do you think will be walking in there?" I asked.

She pulled a deep breath and sat back, her long, tapered fingers tapping at the folder.

“Oh, I don’t know. It’s a pretty ugly case, but the kind you win.” She sipped. “I guess I’m picking up on my clients. They’re kind of spooked.”

“How about you give me the run-down?”

She nodded and dropped her voice further.

“The company’s called Nuvoco. Privately-held, completely dark. I asked a golfing friend, an investment banker, about them and he drew a blank, and he knows the medical products market like he knows the bunkers at Doral. He said he’d look into it. All he was able to turn up was a redacted FDA experimental approval and a reference to a classified report from the Defense Department’s Advanced Research Projects Agency.”

The orange juice was sweet and tangy and real. I resisted the impulse to look over my shoulder.

“DARPA, huh? What’s the product do?”

“Second Skin was approved as an experimental, doctor-administered therapy that’s supposed to restore skin tissue damaged by burns, abrasions and lacerations,” she said.

“Patients signed releases, and the use cases were very clearly defined. The studies showed that it was an effective treatment.”

“Thus the military’s interest.”

“Uh-huh.”

“So where do you—we, come in?”

Bree seemed to consider, then focused on me, talking low and fast.

“At least one doctor apparently thought, hey, if it can repair skin, why not organs? A liver, kidneys, lungs, even heart muscle. Find a few desperate patients with ready cash, and inject the material.”

She seemed about to go on, then clamped her jaw and sat back with her mug.

“Did it work?” I asked.

“For a while. But there’s a catch with organ tissue that doesn’t happen with skin. Skin is exposed to air, regenerates, and that’s pretty much it. With organs, though, there’s no contact with air, so you need booster shots.”

“For how long?”

“As near as we can determine, forever.”

“How often?”

“Looks to be once a week. Any longer, you get real sick. Longer still, you die.” She sighed. “These people were sold booster packs for two months, to self-administer.”

“You and I both know that won’t be long enough for a plain old civil trial, let alone a class action, motion practice alone could take a year. Your adversary will know that too. It also puts me on dicey ethical ground.”

That got a smile. My saying that word generally has that effect.

“Just get me the leads, sugar. The more plaintiffs I have, the sooner the company will settle and leave the doctor hanging.”

“Did the company know?”

She shrugged.

“D’unt matter. They had a bad actor in their program and failed to monitor.”

“What about the releases?”

“Not worth the paper they’re written on. The therapy is strictly targeted at skin regeneration.”

I leaned back in the uncomfortable cane chair, staring at the slender file before folding it into an inner pocket of my raincoat.

“I’ll see what I can do.”

Bree leveled a calculating look at me.

“Tell you what,” she said slowly, “I’m meeting the three ladies, my Jane Does, tomorrow. Two are friends. Maybe come by, see what you think by then.”

“Okay. We can get our paperwork together, after I do some initial homework.”

Bree finished her latté and dabbed a shapely upper lip with a napkin.

“I knew I could count on you, Jaden. Thanks for meeting me here.”

“I’ll walk you out to your car.”

The rain had picked up. As Bree’s red Miata took a right toward the beach, I crossed Federal Highway to walk back toward Las Olas.

This was as close to spooked as I’d ever seen Bree, and I’d worked about half a dozen cases with her since the USF dorm case when she was a new second chair to old Jack Lyle at Donagher & Lyle, three since she’d been on her own. She was reaching the plateau where her name on the complaint was a good reason to consider settling. We’d sent her the good brownies for Christmas, as a business will do for a prime client.

The business of Jasme started at Zephyrhills: you can learn a lot of things in prison. Some, a lot, we’ll leave unsaid. But you meet people who see things just a little differently, the spaces between the itch and the scratch where money can be made.

One of these people was Simon Vann, who had been a plaintiffs’ attorney until a case where much of his plaintiff class turned out to have already given powers of attorney to

out-of-state relatives before signing with him. The houses, the cars, the boat, the sugar on the side, were all gone in a flash. He blamed himself for one thing and one thing only.

“I called the wrong *case runner*. Tried to save a few bucks.” He waved liver-spotted hands around the prison library. “Worked out great, huh?”

I asked him what a case runner was.

“See, there are laws against an attorney cooking up a cause of action and then finding warm bodies for plaintiffs. So there’s a service, kind of a gray area, people who generate leads, finding and referring people whose issues jibe with the theory of the case. For a small fee per head, the attorney gets parties already qualified by the case runner.” Simon stared at the book in his hand, a history of power boats. “He hopes.”

Riverwalk was empty tonight, probably owing to gale force sheets of rain pounding in from the southeast. I had reached the level of saturation where I no longer hurried, content to cut the tangent over tile and through puddle to the welcoming lights of Rivergate.

Saul the night man looked up from a *futbol* match playing low on the desk behind his counter. His jowly, rough-hewn face registered sympathy with an economic lifting of heavy eyebrows.

“Is a wicked night, Mr. Smerlow.”

“It is that, Saul.”

I stood on the doormat and wiped at my face and hair, then skimmed off the excess on my raincoat. No rush to get upstairs. I slipped off my loafers and poured some boot juice into a potted plant, then dabbed at them while my trousers dripped on my stockinged feet.

“May I offer you some paper towels?”

“That’s a start. Thanks.”

“Quiet?” I asked.

Saul gestured at the game. The pace there too sounded slow, even in Spanish. He held up a wastepaper basket for the wet ball of paper. I thanked him and felt a little better, stopped to collect from my mailbox, then took the elevator up to 14.

Rivergate was where I'd worked with Bree generating leads on a mold case. Several lines of apartments facing the river had been improperly sealed. To compound the problem, the builder had cheated out on the drywall, which had to be replaced, with cleaning and painting and monetary damages as part of the settlement. One of my leads, Hugh Breyer, who had termed himself a real estate consultant, told me he was getting into an extended development deal on the Pacific Coast of Costa Rica, and so was looking to lease his condo just as Delia was ending our marriage and tossing my stuff into a POD. The reason behind my sudden housing crisis also sprang from that case, so I had some reservations about whether I wanted to live with that daily reminder. In the end I moved into 14D just as the repairs were complete, a refuge if not a home.

I stepped off the elevator to a blue metal door on the opposite wall, opened the two locks and lit up the familiar antiseptic silence. I slipped off my shoes and left them on the mat as I crossed to the counter and opened my coat. The folder was wet but not saturated. I laid it and the mail on the counter, slipped off my raincoat and squished around the counter left to the short hall, turning on lights as I went.

In the bathroom off the short hall I hung up the raincoat from the shower head to spatter in the tub. I crossed to the bedroom to undress and hang up my suit, grabbing a towel from the linen closet on the way. The pants would need a pressing for sure; the jacket

was just damp. I shucked everything else and took the terry-lined cotton robe from the hook behind the bedroom door.

Not warm but dry, I padded out to the kitchen. The folder sat on the counter with one wing up, waiting. I decided to pair it with a finger or two of twice-mellowed Gentleman Jack, then realized I'd missed dinner. The fridge held half a bottle of club soda, a bottle of lemon juice, half an onion in a baggie, half a browning avocado, a couple of yogurt cups and the remains of a container of hummus. At least scurvy wouldn't be an issue for a while. I took out the hummus and found half a bag of pita chips and a couple of browning bananas in the cupboard to go with it.

I perched on a stool at the counter, sipping and nibbling on dinner, and read through the file on Second Skin.

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< 2 >

The basic story the file told was not uncommon: people with money can afford any treatment they want, and there is a vast assortment of quacks, cons, and actual doctors available to convince them they're getting what they pay for.

Doctor Randall Carlstadt ran a couple of fountain of youth clinics under the name Gold Coast Regenerative Medicine in suburban Pompano Beach and unfashionable West Fort Lauderdale. It looked to be the kind of practice that advertised along I-95 choke points and marketing handouts, not a cutting edge research group.

Carlstadt was treating Jane Doe Number One, a homemaker from Palm Beach Shores, with Second Skin for sun poisoning when she told him she was also suffering from cirrhosis of the liver. He suggested a Second Skin treatment for her liver as well. Within a week and after a booster she felt like a new woman, for about a week, until an ache became agony and she could not keep food or drink down. Another booster was required, and so on.

During that first week, however, while feeling refreshed and probably in her cups, she told her friend Jane Doe Number Two about it, no doubt while Number Two was busy drowning her remaining kidney in vodka. Ms. Two immediately made an appointment with Dr. Carlstadt. Within a week she had a functioning kidney, until it began to fail about seven days later. Number One had not told Number Two about her relapse and the booster, so Two went to the local hospital's emergency room, where they wanted to admit her. She

called Number One, who confessed, and to make it right arranged an emergency appointment with Dr. Carlstadt.

Jane Doe Number Three was a little different. Her deal was pulmonary fibrosis, a chronic and progressive condition, requiring a constant oxygen supply to breathe. At age 50, she was a candidate for a lung transplant, the only known cure. Unfortunately, her blood profile was a tough match. She was stuck, until she saw a small classified ad in the *Palm Beach Post* promising tissue regeneration with a Broward number that would be an answering service. The ad was taped to a piece of paper inscribed *Palm Beach Post, 11/25/13, page C7, col.3.*

The ad and the service number were useful information. But the service's call log would be relatively easy for Bree to subpoena and solicit directly if she got a class certification; it would be a bit more challenging get for Jasme referrals. I'd have to think about that.

Dr. Randall Carlstadt would undoubtedly be loath to share his patient records. He would be further shielded by the Health Insurance Portability and Accountability Act, which protected information such as medical history and payment details although not necessarily names and addresses, particularly where there was an imminent threat to health. Bree only needed a few plaintiffs to argue that they represented a much larger group and file for class certification. The three Jane Does did not sound exemplary: two luses and someone who sought urgent medical treatment in the classified ads.

I poured another finger of smooth Jack for dessert and considered my options:

First, searches for Second Skin, tissue regeneration, and *South Florida +organ replacement*. I could look into the manufacturer Nuvoco's available information and clinical

trials, which should indicate authorized practitioners. A real question for someone investigating the case would be how Dr. Carlstadt would have made such a list.

Meanwhile from a referral perspective a social media ad might be helpful as a backstop.

A smooth burn of whiskey opened one more possibility: 911 or ER reports of acute organ failure, starting with Number Two's local hospital, Palm General.

I put the notepad into the file and closed it, revealing the mail. I separated out the pieces for Hugh, my Costa Rican expat landlord, and tossed them into a tote in a counter cabinet where I gathered a batch for weekly forwarding. That didn't leave much: a cell phone bill, a men's store flyer, and a letter from Delia's lawyer.

I sipped dessert, and opened the envelope from Mark Ostrower, Attorney at Law.

Upon review of the parties' accountings, my client will assert the attached Schedule of Assets as material consideration for settlement of divorce.

There was a date, a week away, for filing comments, and a hearing two weeks away. The signature block was on a separate Ostrower-embossed buff-bond page for no apparent reason.

I finished my drink and looked at the attachment.

Delia and the kids would stay in the house, I paid the mortgage and got the tax write-off. She paid utilities.

Child support through emancipation or prior remarriage, in latter case halved.

Furnishings: hers.

Cars: She kept the Highlander, I kept the payments. My Altima was leased through the business, so no dispute there.

It was all so Delia-balanced that my pulse settled until I got to the last line:

The limited liability company Jasme Research LLC: In recognition of my client's parents' investment and her financial acumen in setting the business on a sound footing, a forty percent (40%) share of the same character as current ownership.

That was Delia: calculating exactly how deeply to cut while still seeming reasonable. Not taking the business, just getting to see the books, making sure I would not ever get ahead or get away. It was there to get me angry, and get what she could out of my sorry ass.

It didn't. She wouldn't.

I shut the light.

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When I think about Delia, I try to steal a visit to our wedding day. Like the event itself, it's not a smooth trip, and takes some digesting afterward. There are early snapshots of Deerfield Beach, South Beach churrascarias and pitchers of mojito, Homestead Raceway, morning coffee rolls after long, silky nights. There is the first barbecue with Delia's parents in Fort Myers, where I'm stuck in a canvas chair with sweet iced tea in a cupholder on a green lawn behind a white house, absorbing the undivided attention of Dean and Deirdre Cole, where they weren't sure what to make of my profession or my distance from my kin until Delia jumped in.

"Mama, Daddy, you know how you used to talk about there being two kinds of children, orchid children who require a lot of care and nurturing to make it, and dandelion children who will grow and thrive wherever they're set down? Jay's a dandelion. Nothing keeps him down."

Deirdre's green eyes behind round rimless shades shifted to me.

“That true, son? You a weed?”

I looked at Delia and laughed with relief, we all laughed, and that was where things stood until the proposal disclosure we both knew I had to make. I could have lost Delia, who needed things to be clean and clear, right there and then on her brother-in-law’s charter boat in the gulf with her sister chasing their toddler around the deck. I fessed up to having done a stupid thing as a kid, to having done my time and learned my lesson about disregarding the law and hurting people, about hitting bottom and deciding there was no way for me but up.

“How old were you?” Deirdre asked.

“Nineteen,” I replied. “Got out just shy of my twenty-first birthday.”

“Is that why you’re not close with your kin?”

I actually may have smiled.

“That happened a long time before. My daddy wasn’t exactly popular.”

Another silence stewed.

“Did he raise a hand to your mama?” Dean asked quietly.

It was like a gut shot. For a moment, I was small, a flung projectile, landing in dust and blood to see the two people who had brought me into the world howling at each other in a rage and hurt that filled the kitchen. I looked to Delia and reached for her hand.

“He did. I’d try to stop him, but she kept going back. Eventually I disengaged.” I looked Dean in the eye. “I have done bad things, but never violence, never been stumbling drunk, not like that. I promise you, God and Delia that I will not become what my father was, I will never touch her in a violent way or with anything but love in my heart.”

“Is your daddy dead then?” Deirdre asked finally.

“To me? Yes.”

The wedding itself has always been a bit of a blur. I remember the tricked out tour van, walking a path in unfamiliar shoes to the open-sided park pavilion stuffed with people and music I could not discern, Pete Simonetti and my groomsmen in tan suits with open-collared blue shirts, and looking back from the view of the lake to see Delia, her folks at her elbows but really only Delia, in a long white satin sheath slit to the knee and a delicate lace veil.

I took her hand. Her pastor talked. We exchanged rings we'd giggled over a month before. We said words, were blessed, we kissed, my consciousness full of her in that moment.

And then we danced, slowly at first, faster, more, across the afternoon and into the night surrounded by smiles and cheers and food we barely ate.

That night, we fell asleep still dressed, exhausted, married.

Then I wake up, alone.

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< 3 >

Tommy was already at the front desk when I got in, the coffee brewing in the back.

“And how late were you here, Jaden?” he asked paternally, handing up three call slips.

I like call slips better than voice mail. Paper crumples, shreds, burns. Digital stuff can lurk in all kinds of places, bite you in the ass later. I glanced: all three from Bree Wayland.

“How do you know I was late?”

“You never remember to wash you mug when you pile on the hours,” he chided.

Tommy Deal, on the other hand, was fastidious in his work as in draping the residue of his dissipated youth.

“Had a late meeting, Tommy. Remember Bree Wayland?”

His blue glance brushed the call slips on his desk.

“No forgetting her this morning. Some maintenance required.”

“Hm. Coffee first, then.”

My Homestead Raceway mug sat washed to the left of the coffee maker. The coffee was freshly brewed; I took it black.

“What’s on for today?” I asked Tommy on the way to my office. I generally knew but it never hurt to confirm.

“I’ll have the Nolan Farragut pre-bill ready for you shortly. There’s Miss Bree, of course. And you have lunch at 12:30 with Pete Simonetti.”

“Mm.” I’d forgotten about lunch with Pete. “Thanks, Tommy. Good coffee.”

“Costa Rican Terrazu. Glad you like it. Not everyone appreciates the edginess of Central American beans.”

“Edgy is me all over. Tell Vanique to see me about this Wayland project when she gets in.”

“Absolutely.”

I fanned out the slips on my desk.

6:45 AM CALL ME WHEN YOU GET IN.

7:34 AM CALL AS SOON AS YOU GET THIS. IMPORTANT.

**8:27 AM TELL YOUR BOSS TO GET HIS ASS IN GEAR AND CALL ME
DAMMIT.**

Tommy would have deleted the voice mails after transcribing them, but his block print conveyed Bree’s tone pretty faithfully. I checked my watch: 8:47. I called Bree.

She picked up on the first ring.

“Bree Wayland.”

“Jay Smerlow, in gear as requested.”

“You don’t pick up your voice mails, do you?”

“Not when I’m sleeping. Had some interesting bedtime reading.”

“Well, I want to confirm that you’re coming down 9:30 to meet the ladies in living color.”

“Really? I mean, I’m glad to come,” I said, checking my watch, “but why...?”

Bree, exasperated:

“Because I want you to see the stakes. Maybe you’ll get a feel for the doctor’s clientele. Maybe ‘cause Julie’s on maternity leave, and I’d like to have more than me and my itty-bitty new associate at the table. I’ll even sign your paper. So whaddaya say?”

“See you at 9:30.”

“That’s my boy.”

Click.

“Tommy,” I called, “need a contract for Wayland at \$695 a head in fifteen minutes.”

He had it filled in and printed out in five. I finished my coffee, put the agreement into my leather Coach messenger bag with the file and my notepad and was out to a cool overcast, walking the six blocks to downtown Fort Lauderdale.

Wearing a good suit, shirt and tie with Italian loafers, a Swiss watch, a Coach bag, I moved among the glass towers primed for business, in a uniform of my choice recognized as a ticket of entry to any building I passed. Ten years, and it still occurred to me that I was in costume, playing a Jay Smerlow who might not be real. I shrugged my shoulders in the worsted wool jacket.

Everything around you is a game. Just keep playing.

It was chilly enough outside for the lobby of Bree’s building to feel warm. My divorce lawyer, Marc Falcone, was in the same building; I’d be seeing him soon enough. Meanwhile, I made my way to the fourth floor with the merest nod to the security guy.

The directory board on 4 pointed left for **Wayland Associates – 405**, a legend picked up in raked and serifed purple characters on a smoked glass door just before the end of the hall on the right. The door opened to a small, bright waiting room with soft pastel walls,

curved wood laminate chairs more comfortable than they looked, a solid interior door, and a thick acrylic window with its blinds pulled up.

The woman behind the window was a tidy bottled blonde in a well-packed sunflower print V-neck dress. Her pleasant good morning did not feel forced at all.

“Good morning, I’m Jay Smerlow, here to see Bree on the Carlstadt Second Skin matter.”

“I will let her know you are here, Mr. Smerlow.”

“Jay, please. You’re Gisela, from the phone on the Rivergate matter, unless I’m mistaken.”

She smiled easily, the receiver at her ear.

“Hi, Bree, Jay Smerlow is here.... Surely.” She set down the phone. “Please come in—Mr. Smerlow.”

The door buzzed, and I opened it. I thanked Gisela over the half-wall bounding her work area. The two associate/war room offices behind her were dark, mostly used by co-counsel from out of town or temp reviewers when a case was on. The third dark office in the line belonged to Julie Everhill, an associate who had come over from Donagher & Lyle with Bree and was presently on maternity leave. I made a mental note to send her something for the baby.

A short hallway led to the big corner conference room and Bree’s office. Bree came out to meet me at the conference room door. She wore a belted burgundy sheath with a Nehru collar and pearls, her hair in an upsweep gathered by a comb.

“Thanks for comin’, sugar. Let’s just settle in the conference room, they’ll be here soon.”

She led me in to a simply furnished corner space with a dozen available tan swivels around a long obsidian oval and a small black lacquer credenza on the short wall. The windows offered the muted morning light bound by building faces, with a narrow slot of cloudy sky to the east. I took a seat facing the door as Bree settled at the head.

“My Bobby just left for a tournament in Anguilla. Says his back and knees feel good, and if he can get his first serve in might just make some noise.”

“You gonna go?”

“We’ll see how he does, and how this goes.”

She held out a hand and I gave her the contract. She scanned the boilerplate and terms and set down her signature and date on each of two copies. I countersigned and put away my copy while she put hers in a red folder at her place, her expression blank and her gaze distant. Then she seemed to notice me again, and smiled.

“You’re gonna meet Cara and Anna, and, I hope, Lydia,” she said at last. “I’m sorry, I’m just trying to get myself sorted out here,” she told the red folder. “In the plaintiff’s bar, you know, I always have skin in the game. But this is different.”

I knew that plaintiffs’ attorneys only got paid when they won. It sometimes made getting Jasme paid more interesting than I liked.

“How so?” I asked.

She finally gave me a look more vulnerable than any I’d ever seen from her, or most anybody.

“I don’t know. Just is. It’s—”

Gisela buzzed in that the clients had arrived.

Bree took a deep breath and practiced her smile.

“I’ll be right out. Please ask Taryn to come to the conference room.”

In a moment, a small, slight young woman entered. She had sharp features and frizzed brown curls and was dressed smartly in a knee-length navy blue dress with white piping and cap sleeves.

Bree rose.

“Taryn, this is Jaden Smerlow, our lead generator and researcher. Jay, Taryn Bittner, our new associate.”

She offered a wiry hand. The grip was strong, her eyes dark and piercing. Not someone who played the waif.

“Delighted, Taryn.”

“Taryn, why don’t you set down next to Jaden there. I’ll go fetch our clients.”

Taryn slipped around me to a chair that looked several sizes too big.

“How long you been with Bree, Taryn?”

She stopped reaching for the adjustment levers and let her legs swing.

“Today’s Tuesday? Since yesterday,” she replied.

I smiled. So Bree had needed to have a professional-looking body to present.

“Well, for my part, welcome.”

Bree’s voice carried down the hall.

“Come right on in here...”

I stood, and Taryn hopped to her feet next to me.

The first woman who entered was of middle years, orange-tanned with an orange dress, platinum coif and as much bling as I’d ever seen on one person, up to and including gold-framed smoked shades. The woman behind her was tall and black-haired, drawn and

tan and pale at the same time. Her copper and black filigree on white tennis dress must have looked swell once upon a time, but now mocked her stooped and shrunken bearing.

“Cara, Anna, this is Jaden Smerlow, and Taryn Bittner of my staff,” Bree introduced us, coy with her comma. “Please have a seat. Can I get y’all some coffee, tea, water, juice...?”

“Coffee, black,” Cara said, her voice husky as her lenses were dark. Fine lines split from the corners of her mouth and eyes, across her tight, corded neck above the chains and bangles. She perched across from Taryn, gaze tracking toward the window through the glasses.

“Tea, please,” Anna whispered heavily. Her eyes were grayer than the sky outside.

Bree passed that along to Gisela.

“Anna, honey, will Gene be joining us today?”

Anna shook her head.

“Is traveling. International business.”

“Did y’all come together?” Bree asked Cara.

“I drove,” Cara said. “The traffic was terrible.”

“Yeah, I’m sorry, but we got a lot to do today to prepare for court tomorrow. Taryn, would you please give Lydia a call—”

Just then Gisela rang in to say Lydia was there.

Bree excused herself.

“I’ll see to your refreshments,” Taryn said, jumping to her feet.

Anna closed her eyes and seemed to sink into the chair. Cara panned around and seemed to notice me for the first time.

“Who the hell are you?” she asked.

“Research,” I said.

She nodded, drifting. Hard to tell with her what was up, beyond a likely long dedication to booze. I made note to stay off the road when she and Anna headed back to Palm Beach. Anna, though—

Her bottomless gray gaze startled me.

“So, Mr. Research, can we be made well?” she gasped.

“I ... don’t know,” I said, “but you can keep going. Bree will make sure of that.”

Bree then ushered in a pale, doughy woman with a small oxygen tank strapped to her walker.

“This is Lydia,” she smiled, and made introductions.

Lydia wore a floral print muumuu, freshly ironed. She sat to Cara’s left. Taryn and Gisela set down beverages. Gisela withdrew, and Bree began.

“We’re here because each of you, in a bad moment, trusted Doctor Randall Carlstadt’s word that he had a miracle cure for what ailed you. Now we know that he has made the situation worse, and made you dependent on Second Skin. We are going after Doctor Carlstadt and his practice, and the manufacturer Nuvoco for not supervising use of a scheduled product. We will, in the meantime, make absolutely sure that your health is maintained at no cost to you, so that you will be able to win judgment and recompense for the suffering he’s put you through. Our job today is to get as much detailed information as possible so that we can press this case. Lydia?”

Lydia had raised her hand, and spoke up with wheezy Brooklyn brass.

“Ms. Wayland, how long we gonna be? Cuz I got four hours of oxygen at the rate I’m usin’ it now, an’ I’ll need at least a half-hour to get home to the big tank.”

“We’ll move along, Lydia. Why don’t we start with you: when did you take your last booster?”

“Day before yesterday. That’s why the flow’s only up to half.”

“You have more boosters?”

“A month. Four more.”

“And how did you come to Doctor Carlstadt?”

“I saw an ad—”

Lydia started coughing, and kept going, her face aflame, struggling for breath. She was eventually able to sip a little tea, which helped.

“Okay,” Bree said firmly, “we’ll come back to you, honey. Cara, he was treating you for sun poisoning, was he not?”

“Yeah,” she said. “Yeah, and the stuff worked great on skin, y’know, so he goes *Hey Cara, maybe we can fix your liver too, you like that?*” A slight Russian rhythm emerged as she spoke quickly. “I said I like that, hell yeah.”

“And it was just a shot?”

“To the liver. Big fuckin’ needle. He numbed the skin a little first, but, wow.”

“I got the lungs,” Lydia wheezed. “Hurt like a motherfucker. Still does.”

Taryn was writing; I took notes as well. Bree wound a Cross pen between her fingers.

“When did you start feeling symptoms?” she asked Cara.

“Just about a week later. A week and a day. Started to feel ... off? Next day, just barfing up everything.”

“What did you do then?”

“I called the doctor.”

“I was on max flow overnight,” Lydia said. “Started taking a five-day tank a day, still wasn’t enough.” She shook her head. “Then I got the booster. All better. For a week.”

Bree looked at Cara.

“Your last booster was...?”

“Yesterday,” Cara said. “Got three more. Says there’s another pack on its way.”

“Anna?”

Within the curtain of black hair on her bowed head, tears fell into Anna’s teacup.

“Ya ne znayu.”

“Say what?”

“I don’t know,” Taryn said, or maybe translated.

“Evgeniy does not know ... what I did.”

Bree’s hand rested firmly on Anna’s thin forearm.

“Anna, honey, you cannot blame yourself. You were ill. This doctor hurt you. I promise you we will bring this right. Now, look at me, when did you last take your booster?”

A shot in the kidney: that was the look on her face.

“Days....”

“Take the booster!” Bree snapped. “If you need help, I will get you help, but you must promise me, you will do this.”

Tears leaked from behind Cara’s glasses.

“Come on, Anoushka, I’ll help, I told you about him.”

Bree looked at me, blinking fast to stay sharp, clear, in command.

“Jay, I think we’re gonna need a little time here. I’ll call you later.”

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