

Will Tripp: Pissed Off Attorney at Law

Harry Stein

There's an excellent reason this story does not begin in a bar. There are only two such establishments close to Bennett Tripp's home in the now-famous college town of South Chester, New York, and he was not about to patronize either.

One, Seventh Heaven, was owned by the woman with whom his wife and child had just taken up residence. The other, Rick's Place, had long before permanently offended the one person on earth he could always count on, his brother Will.

That evening Bennett was counting on Will more than ever. Earlier, hearing the sound of Bennett's voice on the phone, Will had announced he was dropping everything and heading over.

"I'm all right," Bennett said. "Don't bother."

"Yeah, and I'm doing Scarlett Johansson with my foot-long hose," Will replied. "Sit tight, little brother—just wait till I get there to break out the rat poison."

It generally took Will a good two hours to reach South Chester from his Yonkers law office, but tonight he made it in ninety minutes, and that included a stop at a liquor store. Emerging from his custom-altered 2010 Escalade, he hoisted both hands over his head in greeting, a brown paper bag in each.

Waiting on the porch steps, Bennett waved vaguely and rose unsteadily to his feet.

"Asshole," observed Will warmly, "started without me." He set down the bags in turn. "Scotch. Vodka."

Normally not much for drinking, Bennett had already had three Buds. "Don't worry, I got plenty of room."

"I'm disappointed—you really don't look so bad," Will said, smiling, and threw his arms around his brother's waist.

"I try." Having earlier presided over his senior seminar on Fluid Mechanics, he was still wearing his corduroy jacket, though there was now a large spot of spilt beer on the front.

Will disengaged. “Look at the bright side—at least she didn’t take the house.”

“Not yet,” Bennett said, turning to trudge up the porch steps, the floorboards moaning with every step.

Will followed. “Oh, boy,” he said, rubbing his hands together in anticipation. “Let’s hope she tries!”

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“I swear, it’s like getting castrated.” So deep in his armchair he was more lying than sitting, Bennett reached uncertainly for his glass on the nearby table.

From his perch on a stool across the room, Will shot him a look. “Waaah, waaah, waaah. How long you gonna go on with this?”

“Castrated with a dull butter knife. Long as I please!”

“Christ, if you’re just gonna make yourself another victim, do it on your own time!”

If there’s one thing Will hated, it was victims. He’d built his entire career on fighting victims or, as he put it, “defending the *real* victims.” By this he meant everyone getting screwed by *out-of-control do-gooders*, *dull-witted bureaucrats* and *the terminally PC*, from doctors faced with losing their practices to specious malpractice claims, to employers constrained from firing even the most incompetent and dishonest employees, to hapless saps busted for smoking in public.

He’d decided on this course back in law school, nearly twenty years before. He had paid his way through school working weekends and summers at the aforementioned Rick’s Place, nightly donning his padded suit and crash helmet to get tossed by happily inebriated customers into a bank of mattresses, under the name Iron Will.

Need it be mentioned Will’s a dwarf? Because you surely already knew that if you’ve followed the events leading to the mystifying end of Francine Grabler, Chester College’s renowned professor of Advanced Oppression Studies.

The point is, Will had never had such a terrific job, great money and even better psychic rewards. “I was a fucking *athlete!*” he later opined. But then the *human rights activists* got involved, standing up for—he always made sneer quotes with his stubby fingers—“the Little People.’ *Little People!* Screw that, we’re *dwarves!*”

Indeed, as he insistently pointed out to the smug and ignorant, they *had* to be dwarves.

“You can’t toss a damn midget; you don’t have the right weight/balance ratio!”

One night, a couple dozen of the do-gooders showed up to picket the place, and the owner, Rick, instantly folded, terrified the bastards would get some lily-livered pol to suspend his liquor license. He gave Will his walking papers, then helped finance an ordinance mandating a \$5000 fine and up to six months for anyone caught hurling a dwarf within town limits. He won praise in the town weekly and an award from the ACLU.

Meanwhile, Will’s new job—inspecting the interiors of municipal sewage pipes—paid a third of the old one, without factoring in the lost glory.

All these years later, Rick was still high on Will’s Get-Even list.

“Look at the bright side,” he said to Bennett. “At least you don’t have to put up with all her New Age crap anymore.”

“I thought you liked Laura.”

“I did. But know what? I’m *judgmental*.” He let the wonderful word, transformed by the proudly sensitive into a pejorative, hang in the air a moment. “She’s a jerk, that wife of yours. And I don’t say that just because she turned out to be a rug muncher.”

Bennett threw up a hand. “Hey, no, stop!”

Will shot him a sad smile. What could he do? The poor sap had been marinating in the PC stew of American higher education for so long, he couldn’t think straight. “Hey, I don’t mind a bit. Matter of fact, that generally elevates a woman in my esteem.”

“All right, then,” allowed Bennett uncertainly.

“Only, Christ, what’s this country’s coming to when you can’t speak the truth even to a guy who’s just taken a shiv to his nuts? Your wife suddenly decides after ten years she’s bored and needs her freedom? And doesn’t give a goddamn how it messes up the kid?”

“She’s a good mother, Will. It’s me she doesn’t want....”

“Waaah, waaah, waaah. Yeah, right, that’s why she’s after full custody of Casey. Know what she is? A selfish bitch on skates! No embarrassment, no accountability.” He paused. “A moral black hole. Say it.”

“You’re wrong, it’s so much more complicated than that.” Suddenly Bennett looked like he might actually start to cry. In the several days since his four year-old daughter had

moved to Barbara Ann's place with her mother, she'd gone monosyllabic on him, and he had nightmare visions of her shutting him out for good. "A lot more complicated," he repeated softly.

This bid for sympathy failed to have the desired effect. "Just listen to yourself! I'm not sure I wouldn't leave you too!"

"Yeah, well great... I appreciate all the help."

"You want me to represent you or not?"

"I know what you're trying to do, Will, and I love you for it."

"Right, I love you too. Now say it!" He paused. "I need to know you'll do what I'll need you to do."

"Fine," he said softly. "She's a black hole."

"Say it like you mean it. A *moral* black hole."

"A moral black hole."

"Louder!"

"A moral black hole!"

Will nodded. "You got all your financial records in order?"

"Kept them in my office, like you said."

"Good." Will hopped off his stool and gave his brother a quick hug. "We'll talk tomorrow." He started for the door, then paused. "Your colleagues know?"

"That she's left me? Of course not."

"If I were you, I'd use it."

Bennett looked at him quizzically.

"To get other women. Trust me, pity can be a tool. They're *educators*. Empathy is job one."

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"Your Honor, may I approach?"

State Supreme Court Justice Carol Siegel peered down at Will over her half-glasses.

"You may."

"Your Honor, I'm really not comfortable humiliating a child."

Though her other features remained studiously neutral, her eyes flashed bemusement; it wasn't the first time she'd had Will Tripp in her White Plains courtroom, and she knew sensitivity wasn't his long suit. "I sympathize, Counselor. I'm sure you'll exercise restraint."

"On the other hand, if you throw out this ridiculous case right now...."

At that, she couldn't help but smile. "Enough Will... just continue your cross."

Turning away, Will caught his client's attention and shot him a grin intended to induce confidence. It didn't work. A useful and productive citizen, a wholesaler of pet supplies whose last speeding ticket had been as a twenty-two year old, even now Warren Lucas seemed to scarcely believe the position he was in: sitting in this spanking new, state-of-the-art courtroom, a financial Sword of Damocles hanging over his head. And for what? The damn kid had snuck into *his* yard. Swung on *his* rope swing. How was it *his* fault that she'd jumped off and broken her ankle? In fact, when her parents first started making noises about a lawsuit, he'd threatened to sue them for trespass. Or slander. Something! But no. How could he know that under New York's Child Omnibus Protection Act, otherwise known as Jao's Law, after the 14-year old Thai lad who tried practicing his tight rope walking skills on the Long Island Railroad's Third Rail, that it was the responsibility of the property owner to post to warnings in multiple languages within forty feet of any potential danger accessible to children under eighteen? The Moses had sued for \$14.8 million—the amount a helpful accountant had surmised their ballet-prodigy daughter stood to have earned had her career not been curtailed by the injury—and until he found Will, he'd lived in dread that he would have to pay a good chunk of it.

Even now, sitting beside Will's wheelchair-bound associate Marjorie Spivak at the defense table, he had the look of a hunted animal.

"Now, then," Will said amiably, turning back to face Jodie Moses on the stand, "you were telling us about Miss Waring, Katie's ballet instructor at the—"

"Waring Academy," she said coolly. "In Armonk, New York. Soon after she started there, Ms. Waring told us Katie's gifted. *Extremely* gifted. One of her *most* gifted. Ever." A beat, then sadly. "Or *was*."

"I see. And by chance would you know off-hand how many of Miss Waring's pupils have gone on to The City Ballet in New York?"

She looked only momentarily uncertain before answering with haughty disdain. “No. And I don’t see that it matters.”

“Or the ABT—the American Ballet Theater?”

“I *know* what it is!”

Abruptly, the phone in Will’s shirt pocket began to vibrate—the violent vibration, signaling a distress call from one of his handful of intimates. He turned away from the witness stand and, unseen by the judge and witness, whipped it out for a quick glance. *BIG trouble, need you NOW—B*, read Bennett’s text.

Replacing it in his pocket, Will wheeled around dramatically—a move that, given its obvious stagecraft and his pint-sized stature, could sometimes also induce jurors to smile; but always, he knew, in sympathy. “None!” He announced, pointing. “Not one of her students has gone on to either of those companies.”

“I don’t care!” she insisted with hatred. “She’s my daughter! She’s a *prodigy*!”

“I understand,” Will said sympathetically.

“And Dr. Sussman of the Hospital for Special Surgery says she can never put all her weight on that foot again! She can never dance on her toes!”

Will paused, thinking she might cry. “Your Honor.....”

“Mr. Tripp,” she replied dryly.

“If it please the court, my co-counsel will continue with this witness.”

“Without objection?”

“No problem,” agreed his opposite number.

“Just one moment.”

Will retreated to the defense table. Placing an encouraging hand on his client’s shoulder, he whispered in his colleague’s ear and stepped aside.

Using the controls on her chair, Marjorie Spivak backed away from the defense table and swung around into open court. On the stand, the witness watched in horrified curiosity as she halted the chair, shut it down and pulled herself unsteadily to her feet. She wobbled a moment; then, with supreme effort, lurched a couple of steps forward. “Now, then, Mrs. Moses,” she began, “I know we all sympathize with Katie’s injury....”

In the back of the courtroom now, Will decided to linger a few moments longer. Marjorie had been a terrific hire. She was a mediocre lawyer, inarticulate and often slow

to grasp the obvious, but she was one helluva cripple.

“The question,” she was saying, “isn’t whether that wonderful girl will be able to dance the waltz or the tango or....” She stopped, groping for the word. “Or the lambada, if I’m saying it right. At issue is whether she’d have been a *good* ballerina.” With difficulty she turned to the judge. “Your honor....”

The judge nodded sympathetically.

“Your Honor,” she began again, rocking unsteadily. “Your Honor, with the court’s persuasion—pardon me, *permission*—can I enter into the record a video of a recital held at the Waring studio last December?”

“Yes, of course,” ruled the judge without hesitation.

Will watched less than thirty seconds of the video, a dozen eleven year olds in tutus dancing to “Waltz of the Flowers,” their faces pixilated out to protect them from—Who? What? Child molesters without standards? Dance critics? Katie Moses was the one in pink, no less clumsy than the rest, but quite a bit chubbier, the sort of body that had as much chance of growing into a professional ballerina’s as he had of playing offensive left tackle for his beloved Jets.

Katie’s mother, oblivious that her case was disappearing down the drain, was beaming. Even left to her own devices, Marjorie couldn’t blow this one. Will turned and hurried for the parking lot.