

# STEVE EGGLESTON - WRITER

## THE REVIEWS ARE IN

### INSPIRED BY A TRUE STORY - THRILLER

Upwork - Writer for Non-Fiction -"roman à clef" Novel

Work: March – October 2016 (100,000+ words)

Rating: 5.0 ★★★★★ \$22,500

Book: ***The Food Mafia***, by Jon Gordon & Steve Eggleston



*"Steve Eggleston is one of the most professional writers I have ever dealt with. I spent 21+ years in the motion picture industry and never have I been more impressed with someone's work ethic, meeting milestones, researching nearly every subject matter in our Novel and going the extra mile to continually improve our joint work. A very rare individual indeed. We actually spent the last three weeks plus working side by side to improve our Novel from very good to what I believe will be a Bestseller. I would be please to personally discuss anything further about Steve with anyone. SIMPLY AN AMAZING INDIVIDUAL!"*

### FICTION THRILLER

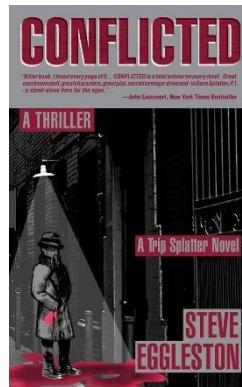
Book: ***CONFLICTED***, by Steve Eggleston (100,000+ words)

Published: 2014 on Peter Miller's Imprint, Global Lion Publishing; 2016 on Eggman Global Books

Reviews:

Front Cover:

- Review by 17x New York Times bestselling thriller author, John Lescroart: "Killer book. I loved every page of it. *CONFLICTED* is a total winner on every level. Great courtroom stuff, great characters, great plot, narrative mega-drive and - in Dave Splatter, P.I. - a stand-alone hero for the ages."



Back Cover:

- Review by New York Times bestselling author/former OMNI Editor-in-Chief Keith Ferrell: "Steve Eggleston's *Conflicted* is a chilling, funny, moving, shocking thriller and Eggleston keeps every one of those elements in balance as he moves his story at a breakneck pace through as delicious a set of complications, re-complications, and surprises as I've seen in a long time. *Trip Splatter* may well be the most unusual and distinctive investigator to be introduced this decade, and eagerly I look forward to his next adventure."

- Review by Bestselling Author of *Bohemian Heart* and *1906*, James Dalessandro: "If the law ever produced a more colorful character than Steve Eggleston himself, I'd probably be afraid to meet him. Eggleston has taken that colorful, irreverent personae of his - and an encyclopedic knowledge of the law and the characters who pass through that suspense-filled world - and created a character as colorful and outrageous as his name: Trip Splatter. *Conflicted* is a roller coaster ride through the dark and twisted world of criminals and those who hunt them."

### Top Customer Reviews

★★★★★ By [Paul Walmsley](#) on September 30, 2014

Format: Kindle Edition

An advanced reader]: Lee Anne Walmsley

A MUST read! Twists and turns I never saw coming! Characters both genuine and unique. Believable throughout yet thrilling, and breakneck speed action. Who could ever figure out such complex connections among the players? Surprises on the final pages. Left me eager for the next ride with Eggleston driving!

★★★★★ By [Dr. Kitty Bickford](#) on September 30, 2014

Format: Kindle Edition

I started reading this book one evening and couldn't stop reading! The clock rang 4 a.m. and I was still reading. What a gripping, exciting, riveting, sit-on-the-edge-of-your-seat story this is! If you like gum shoe detectives flavored with Asian Mafia, you are gonna love this book! I cannot give it more than five stars, but I would if I could! Wish my publishing company would have found this author first!

★★★★★ By [Michael Bates](#) on October 26, 2014

Format: Paperback

CONFLICTED is an awesome legal thriller!! I had planned to take my time reading this novel, but then found myself unable to put it down. Steve Eggleston weaves unique characters into an exciting plot with many layers that keep the reader on the edge of their seat. As the first ever American-Asian Sherlock Holmes, Dave "Trip" Splatter P.I. is a real hero worth admiring. The story ends with such an incredible and surprising twist I'll be talking about this book for years.

★★★★★ By [Harris H. Wilder](#) on December 13, 2014

Format: Paperback Verified Purchase

It is rare that a first time author truly nails a genre and shows a natural mastery of the form. Steve Eggleston's new noir thriller does just that. Eggleston creates a dark reality in which the hero, Trip Splatter, tries to solve an old crime while discovering new ones and embarking on a journey of self-discovery. Trip Splatter is a fascinating Chinese-American character with deep issues that haunt and obsess him. In the tradition of Raymond Chandler and Dashiell Hammett, Eggleston has created an updated version of the classic archetype: the hip, addicted and very modern American anti-hero who struggles with past and present traumas that inform and drive the story. Trip Splatter is compulsive, weird and fascinating. The more we discover about him, the more we discover the darkness at the heart of this tale of addiction, corruption and murder. This is a must read for noir fans and I predict this is just

the first of Trip Splatter's adventures. It won't be long before you see Trip Splatter on the big screen and your preferred media. Enjoy!

## DRAMA

"**Overcoming Your Adversities**," by Dr. Ken Polke & Steve Eggleston (70,000+ words, \$12,500)

Work: July 2015 – August 2016 (not Upwork, worked at pace of Co-Writer, a practicing doctor)

Status: Before the Editor, to be Released by Bestselling Author of "Create Your Own Destiny" and Self-Help Marketing/Self-Publishing Guru, Patrick Snow ([CreateYourOwnDestiny.com](http://CreateYourOwnDestiny.com))

Review of Draft Manuscript by Patrick:

- "*WOW....I think the book is very, very good! This is the first time that I have seen the manuscript and it is very good...*"

- "*Introduction is absolutely PERFECT!!!! Spot on in that it is about the "reader" and their struggles not about the "author" being the hero.*"

- "*Content of book...although I did not read every bit of the book...I loved what I read and it is quite obvious that Steve is an extremely talented writer. Hence, now that exercises have been added to the manuscript...I would not at all change the manuscript....unless we are really really short on word count...and then maybe Steve and get a few more stories from Ken to be added to the end of the book...just to increase page count..."*

## BIOGRAPHY

I have been writing all my life. It started when I was 13, when I witnessed a friend's dog get sucked into the wheel well of a passing car. Abhorred, I wrote an essay about the tragedy for my eighth-grade English class. So moved was the teacher that she convinced the Principal to read it over the P.A. to the whole school. A writer was borne.

In law school I became Editor of the Law Review for two years, then graduated Valedictorian and thereafter served as an award-winning law professor. As a practising attorney, I wrote, reviewed and edited literally hundreds of legal briefs. Several of my cases become precedent-setting, reported appellate decisions. In jury trials, I frequently quoted inspirational passages from the great authors, men and women of history, having read hundreds of books in my life's journey. But after winning millions of dollars in verdicts, I wanted something new, so I transitioned to a full-time entertainment executive position, music manager and now writer.

As COO of One Roof Entertainment, I wrote three feature film scripts in collaboration with major motion picture studios. Then when visiting Las Vegas one weekend, I was tapped to head Vegas Rocks Magazine, where for three years I covered, photographed and wrote about the biggest bands in the world. Ultimately my dear friend, Paul Aratow, co-founder of Chez Panisse and Producer of Sheena, told me to put down the scripts, over which I had continued to toil, and write books instead.

So that's what I did. Though I had written a popular legal practice book, "Labor & Employment in California," as a young attorney (it has been in publication and updated annually for 20+ years), it wasn't until 2014 that I finished my first fiction novel. "CONFLICTED," a Trip Splatter Novel, met with critical praise from some of the biggest writers in the thriller genre, including most notably 17x New York Times bestseller, John Lescroart, whose review is quoted on the cover of the book and in my attached Portfolio.

In August 2016, I finished two new books. The first, "Overcoming Your Adversities," was co-written with Dr. Kenneth Polke and tells his story: How a kid from Bomb City USA went from the streets to the mafia to the NFL... before ultimately becoming a doctor. New York Times bestseller Patrick Snow, the author of three-million seller "Create Your Own Destiny," has taken the book on for marketing and self-publishing.

One month later, I completed "The Food Mafia," written in collaboration with motion-picture veteran Jon Gordon. This book is inspired by the Clemmy's Ice Cream saga, Jon's own story about launching a sugar-free ice cream company before being crushed by Big Food and Big Sugar. It is under consideration by Ron Meyer, head of Universal Studios, as a potential major motion picture in the vein of John Grisham's "The Firm" meets "The Insider." Both "Overcoming your Adversities," and "The Food Mafia" will be published this year.

In addition to writing books, I have taught collegiate history, politics, ethics, copyright and "understanding the music business." Because of my diverse and storied background, I am often called upon to provide story and copy editing for books, PhD thesis, academic materials and online platforms of every kind. Most of the time I am disciplined, funny, and creative, priding myself in going above and beyond the call of duty whenever possible.

Recently I am married to Dana Amma Day, co-founder of PositiveTV.tv, with whom I appear in the picture at the top of this Portfiolio. I live alternately between San Francisco and Pilton, England, from which I collaborate with other writers and clients from all over the world.

## CONTACT

For fiction, non-fiction, memoirs, ghostwriting, or compelling content on any kind on most any subject, I can be reached at any of the following:

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Mobile: (in England) 07801 931 682 (where he often writes from his cottage in Pilton)

Skype: TheEggman411UK

Google+: TheEggman411@gmail.com

## FREELANCE REVIEWS ON UPWORK – PREMIER FREELANCE WEBSITE

Here are a few sample reviews of my varied projects on Upwork.com. To see all the Reviews, go to Upwork.com and search for my name, Steve Eggleston.

**CRITIQUE MY MANUSCRIPT (May 2016):** Rating: 5.0 ★★★★★ “*The best editor yet. Thanks a million Steve. You've been a great help, well beyond what I expected.*”

**MARKETING FOR CELEB HYPNOTIST AS SEEN ON MTV (February 2016):** Rating: 5.0 ★★★★★ “*Another homerun on up work! This guy is extremely smart! He is fast. He worked on the weekend and went over and above the call of duty to get things done. I would highly recommend Steve. I will work with Steve over and over again! Not only is he a lawyer-but he is a shrewd businessman. I couldn't ask for a better freelancer. Thank you Upwork!*”

**HELP WITH EXAM ON GLOBAL BUSINESS MANAGEMENT (May 2015):** Rating: 4.7 ★★★★★ “*An high caliber, professional and extremely helpful academic with wide ranging knowledge and expertise of commercial law and business related subjects. Highly recommended.*”

**STARTUP CONSULTING/WEB CONTENT WRITING/BUSINESS PLAN UPDATING (Nov 2014-Jan 2015):** Rating: 5.0 ★★★★★ "The Eggman411 did a wonderful job of keeping our project moving forward at the agreed to costs. He is energetic and very positive to work with and helps bring a team together. His knowledge about legal and business were valuable along the way of the entire process. I plan on using him again in the near future."

**LEGAL ARTICLE (Nov 2014-Dec 2014):** Rating: 5.0 ★★★★★ "Witty Wordsmith and Master of the Metaphor."

**STARTUP ORGANIZATION (Oct 2014-Nov 2014):** Rating: 5.0 ★★★★★ "The Eggman was a perfect match for me and the start of my company. Being new to a startup, the Eggman made the company formation process smooth and simple. All of the milestones were completed on time unless agreed to changes were made along the way. I will continue working with the Eggman as my startup takes shape."

**REWRITE LEGAL ARTICLES (Sept 2014-Oct 2014):** Rating: 5.0 ★★★★★ "Steve aka The Eggman is a great writer that I had the pleasure of knowing and working with. He is responsive, flexible, and has good knowledge of legal subject matters pertaining to US law, as well as being a good wordsmith. If you need a writer especially for legal subjects, you can't go wrong with The Eggman".

**U.S. ONLY – QUICK LEGAL ARTICLE (Aug 2014):** Rating: 5.0 ★★★★★ "Steve ABSOLUTELY above and beyond the requirements of the project. The project was a tough one and above that it was required within a very short time frame. Not only was the article very well researched and well written, but it was actually delivered earlier than the deadline. He was an absolute pleasure to work with. Awesome!"

**ARTICLE ON EMPLOYMENT CONTRACTS FOR U.S. EMPLOYEES (June 2014-July 2014):** Rating: 4.9 ★★★★★ "Steve was fantastic on this job and I definitely recommend him as a freelancer. The article was about a complex and relatively uncovered area of international employment law. Through his own expertise and his network Steve was able to craft a thorough and well written document. It's exactly what I hoped to get. Note I left a mark of 4 for adherence to schedule because the project took slightly longer to deliver - in fairness to Steve this was because we jointly decided to wait for him to talk to another lawyer about it. He kept me very well informed throughout the work. I hope we can work together in the future on similar projects."

**NONPROFIT BYLAWS (APRIL 2014):** Rating: 5.0 ★★★★★ "My new go-to person for all things legal. What a thorough, meticulous job you did: Over-delivered! And I could not be happier with the finished products, the process, and the person. HIGHLY recommend! Thank you, you did in a few days what would

*have taken me a month of Sundays to figure out without you, and I would have never done it so well. I am grateful for you and your efforts. We will work together again! And again! And again! I am so impressed with your work that I recommended you by name in my new book."*

**NEED ARTICLES OF INCORPORATION TEMPLATES FOR EACH STATE AND D.C. (April 2014):**

Rating: 5.0 ★★★★★ "WOW! GREAT work! Better than anticipated, better than I knew it could be. You did in a couple of days what would have taken me a couple of months to do without you, and my work would not have been in the same league as yours. Quick, perfectionistic, personable, and professional. What else could I want? That is easy, to work together again! I couldn't be happier, thank you so much!"

**BOOK PROPOSAL (March 2014):** Rating: 5.0 ★★★★★ "Freelancer went above and beyond what I was expecting. I already have other projects lined up with him. I highly recommend!"

## WRITING SAMPLES

Here are select samples from various books I have written, to illustrate my diversity in style, approach, tense and pov. I am particularly proud of being able to write to the anticipated reading audience, ranging from highly entertaining and visual (fiction, memoirs, true stories), to informative, impactful and motivational (sales and web content), to formal, erudite, and academic (legal articles, PhD proposals, model post-graduate exam answers, critiques).

### "CONFLICTED," a Trip Splatter Novel

by Steve Eggleston

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"Murder isn't always a crime."

Double Jeopardy

#### Chapter 1

It's 8:45 a.m. and I'm riding an elevator that's whirring up the side of a tall, downtown office building. An angular view of San Francisco unfolds below me, raindrops streaming sideways across the aluminum panels of "Pereira's Prick," steep streets crisscrossing an urban terrain that's playground to some, battlefield to others.

Through the rain my eyes drop straight to Chinatown; it's the crux of our story. There, behind the bronze Dragon Gate, two hundred thousand souls occupy eight square blocks of buzzing humanity. In quiet times, you hardly know they're there. In times like this, they're like angry hornets swarming a swatted nest.

My name is Dave Splatter. I know Chinatown because I grew up on its streets. No, not as a Chinese immigrant seeking a better life, and no, not as a spoiled, second generation Chino-Friscan. Me, I was the kid wedged in the cracks -- a half-breed orphan who didn't fit anywhere, doing what I needed to survive.

That was then. For years I've been legal, clean, and gainfully employed, my former life left behind. Yeah, I have some residual quirks, not to mention a few demons, secrets, and peculiar habits; but until today, I never thought my dark past would return, at least not with such a vengeance.

Standing next to me in the elevator, and the reason for the return of my past, is my boss and *pengyou*. *Pengyou* in Chinese means best friend. His attorney name is John Marsten, Jr., Esq., but I never call him that. I prefer Jack, or Jam, sometimes even Jackhammer, on account of his tendency to pound away at things.

Jack's got sandy blonde hair and hard-boiled good looks, like the movie star, Matthew McConaughey. He plays squash at a fancy men's club every other day and always dresses to the nines. Grew up with the proverbial silver spoon in his mouth. From the time we first met as teens, he could whip out a stuffed money clip faster than you could say Chiang Kai-shek.

Needless to say, as a kid, John Marsten, Jr., grew up in a different world than me: rich, white-bread Mill Valley, where every kid boasted a 10-speed, a Beamer and designer shades. Not across the tracks, but across the Golden Gate Bridge. For that reason, there are certain things he'll never understand -- things that happen on the streets, some with deadly consequences.

\* \* \*

Today is different than most. On most days, Jack and I don't share an elevator to work. I've usually been to work and gone by the time he arrives. But today, I made a point to rush over after my morning "engagement" and coincidentally bump into him -- part of a plan hatched a few days ago as payback for a practical joke he sprung on me at my 37<sup>th</sup> birthday bash.

"I don't care if you're undercover for the Premier of China, 'Mr. David 'Trip' Splatter, P.I.,'"

Jack growls, reading my name as it appears on my new, gold-embossed business card. “These fancy business cards won’t help you one bit when you look so ridiculous. I mean, did you look at yourself in the mirror today? You look like *Mrs. Doubtfire Goes to China*, in drag.” He shakes his *Chronicle*, returns to reading it, my card pinched between his fingers.

As the elevator rises, I glance at my reflection in the rain-streaked glass, take in what’s instigating him. In a way, he’s totally right. A blonde woman’s wig that’s slid sidelong across my slick, shaved head, a green silk halter top with matching orchid-patterned dress, and knee-high patent leather black boots – all look absurd on me if you don’t know they constitute a disguise I conceived for some paid undercover work.

“It’s not that I enjoy dressing like a woman, counselor,” I say with an edge. “Ridiculous or not, it was the perfect disguise earlier. Not one lady at the *San Francisco Chinatown Woman of Tong* breakfast even so much as suspected I was undercover. It was so perfect that Mrs. Yu had no idea she was bragging to her husband’s P.I. about her stud muffin’s perfect ‘Roman Candle,’ which I recorded right here on my iPhone.” I hold up my iPhone and reveal the image of a sexy Chinese woman in a strapless top.

Jack glances over, grunts, says: “You’re not still mad at me for that little, ah, thing that happened at your birthday, are you?” We were celebrating my birthday dinner last week at Chin Chin’s Restaurant in Chinatown when a cop buddy of his, dressed in full police regalia, arrested me in front of all of my friends for soliciting prostitution. To make it look real, the cop threw me down, handcuffed me and took me out to the patrol car before releasing me.

I adjust my woman’s designer raincoat at my shoulders, bounce on my toes. “Nah, I’m over it. No one believed him anyway.”

Jack smiles and starts to turn back to his paper when I clear my throat and say, “Hey Jack, look at this.”

He stops, looks at me blankly. “What, Trip? I’m trying to finish this dad-blamed article.”

My hand parts my coat and withdraws a large Glock from my shoulder holster. I point it square between his eyes, cock the trigger. His chin drops and his fingers release, the newspaper fluttering to the floor. I pull the trigger. “*Ka-pop!*” A loud firecracker cap goes off and out the barrel shoots a miniature Chinese Nationalist flag that dangles from a wooden stick.

Dead silence, then I laugh so hard tears flood down my cheeks.

“Goddammit, Splatter,” he spits after a long, stunned pause. “Why do you always have to be such a clown?”

"If you can't do the time, don't do the crime," I say as I wipe the tears from my face.

He stabs the paper with the tip of his shiny loafer, bringing the ugly headline into view:

**"CHINESE GANGLAND WAR RAGES – 10 SLAIN AS COMMUNIST-NATIONALIST FEUD GETS VIOLENT."**

"Talk about crime," he says, shaking his head, "only who's going to do the time?"

\* \* \*

The elevator doors spring open, revealing the plush digs of "MARSTEN & TREMBLE, ATTORNEYS AT LAW."

Jack storms past the reception portal where sizzling hot, twenty-four year old Jasmine Chow – spoiled, second generation Chino-Friscan - sits wearing her trendy Hello Kitty glasses (non-prescription, the latest fad). She waves a handful of phone messages at him but he doesn't slow.

Upon seeing my disguise, she slaps her white-tipped fingers to her mouth, muffling a burst of giggles.

Here, "I'll take those," I say deadpan, then bend over and whisper in her ear: "He never saw it coming." She pulls back her hand and a shrill noise escapes, followed by "you're so bad," our jointly conceived prank a resounding success.

I turn to follow Jack. "Trip," Jasmine says, "I ordered you the DVD, two-day delivery."

"Awesome! Thanks, hon. Oh, I better go."

Jack's already down the hall turning sharply into the first office on the right, that of his senior partner and mentor, Timothy T. Tremble, Esquire. I catch up quick, lean onto the doorjamb, viewing the place that's seldom seen by anyone except Tremble's secretary and his mysterious, largely Chinese clientele.

I watch Jack thrash through neatly aligned folders on his desk, obviously not finding what he's looking for. On the corner sits a crystal ball held up by the interlocking serpent tails of a horse-headed Chinese Dragon. Jack stares at it for a moment, then with a glint in his eye, removes a single key from his pocket and looks over at me. "Trip, you see that Pit Bull of his anywhere?"

I glance at the empty secretary's cubicle across the corridor, then look toward the break room at the other end of the office. "Nope. She must be getting coffee or eating small children in the back."

"Good," he grunts as he drops to his knees, inserts the key into the key chamber of the

three-drawer file cabinet, then jerks open the bottom can.

“What are you do--“

“When in doubt,” Jack cuts me off, “always look in an attorney’s fireproof file cabinet. That’s where we keep the good stuff. This, by the way,” he withdraws and holds up a shiny, chrome-plated key, “comes courtesy of Njoki, who snuck it from the Bull’s desk and *surreptitiously* made me a copy.”

“*Surreptitiously*, huh,” I chuckle flatly as my knees go weak at the prospect of what he might find.

Jack thrusts his hands inside the drawer and removes a thick folder. “**YUNG FO JO TONG – CONFIDENTIAL**,” I knew it!” he bursts out as he stands. “He’s brought that fat rat Yung Fo Jo back into the firm and he’s doing his Chinese mafia dirty work.”

## Chapter 2

Jack, dashing junior partner that he is, usually draws flirtatious grins from the secretaries when he passes their cubicles, but not today. Today all eyes are averted, in obvious reaction to the tension he’s exuding as he charges down the aisle, arms pumping like a steam engine, file clenched tightly in his fists.

“Mr. Marsten, stop! Mr. Marsten! Mr. Tremble’s in North Shore for the Grand Opening of that new casino, the Yung Fo Jo Palace. Didn’t you--”

Jack stops and spins, secreting the file behind his back as he turns.

“--know?” growls the Pit Bull, who’s standing wide-legged in the aisle outside Mr. Tremble’s office. “They’re cutting the Blue Ribbon today. And please, next time ask me. You know Mr. Tremble doesn’t allow anyone but me into his office when he’s not here.”

“Thank you, Marie (last name Sykes, as in yikes), so kind of you to remind me,” Jack says. “I’ll be sure to remember that next time.”

“Aye, Jack Ameer!”

Jack turns at the sound of the lilting, Brit-Africana accent of his secretary, Njoki Muskasa, of Swahili descent. Her legs are bowed, ready to deliver a roundhouse kick to Sykes should she lower her head and charge.

“Hi Njoki,” Jack replies. “At ease.”

“You nevah know ‘round here,” she says as she looks over his shoulder to make sure Sykes

has turned away, then relaxes her stance. I bob my head in agreement, smile an amused grin as I flex my still wobbly legs to keep from collapsing.

"Hi, Njoki," I say. She once—overs me with her eyes and smiles.

"Why's Tremble at that Grand Opening if he's not doing any serious legal work for that rat, like he claims?" Jack asks neither of us in particular, looking at his watch.

"Don't you remember, Jam, he said he's only doing a few casino odds and ends for him. Said he's accumulating a few billables to aid in the cause of year-end bonuses." I wink at Njoki.

Jack gives me a look. "Bullshit. We were supposed to meet at nine sharp this morning to discuss the future of the firm. That was five minutes ago and he's all the way up in Lake Tahoe?"

"I didn't know you were so serious about that," I say over the sound of a nervous growl in my stomach. "Excuse me."

"Trip, I told you I was running for President of the San Francisco Bar Association. That changes my level of tolerance and I've made that very clear to Tremble. Normal, Chinese businessmen, fine. But no – I repeat, no! – so-called *Tongs* as clients."

"Oh, I see," I say as the negative side of a law firm dissolution further materializes in my mind - no paycheck! – generating another, louder growl from within. My cheeks puff and I grab my stomach.

"Didn't ya notice?" Njoki says as she collects a large pile of folders. "He been absent from ya office fa days. Disappeared it seems. Everyone here lookin' for 'em."

*How does Jack understand what she's saying?* I wonder as I purse my lips to conceal my amusement at her thick but amiable accent.

"Probably on a Drambuie binger," Jack says, as if her question were crystal clear. "And no, I've been too busy to notice anything."

Njoki heaves the stack of folders from her arms to his. "And you be havin' a busier one today, sir. You have the insurance deposition in East Bay beginnin' in an hour, and the Demurrer Opposition due 'fore five."

Jack jabs the top folder of the stack with his stiff middle finger, searching for a thought.

"Any word from my damned brother Mike, *the new metal guitar monster?*" He's directing his sarcasm toward a line from *Metal Shred Magazine* that arrived in the mail a few days ago in an envelope postmarked Seattle. Mike is the lead guitarist for breakout heavy metal band Devils in Arms.

I shuffle through the stack of phone messages Jas handed me. "Yep, here's something.

Dated yesterday.”

“Is he showing up to give his respects or not? That’s all I want to know,” Jack says.

Every year at this time we visit the graves of John and Mary Marsten, Jack and Mike’s parents. But as you might surmise, relations between them have seen better days.

I examine the message and wrinkle my brow. “That’s unclear. Just says, ‘the devil will save you.’”

“Lunatic,” Jack sputters, then heads into his office and I follow him.

Behind us, Njoki yells, “Ya still takin’ the secretaries all to lunch Friday? You know how they sooo look forward to it, and everyone’s askin’.”

We settle into our seats, Jack on the soft leather sky-blue swivel model behind his wide oak desk, me on the patterned – and weathered - client piece facing him. He hits the intercom button. “I’ll try my best.”

He starts flipping through the file and stops, looks up at me. “Trip, get that silly” – he waves his hand – “nonsense off.”

“Why, you no lik-ee, Mr. Marston,” I say, mimicking the compliant voice of a Chinese Yi Ji.

“Now!”

“If you insist,” I purr, nodding my head in deference. “But it’s only a disguise.”

As Jack returns to the file, I remove the wig Jas loaned me last weekend when I stayed over at her apartment. Notwithstanding her over-exuberance with everything American, she’s fun to be with, got a smokin’ body, and can’t get enough sex. Just my kind of *mei nü* (hot chick).

I stand up to wrestle out of her bra – she loaned it to me to make the disguise complete – then cringe at the soreness between my legs. When I dance on my toes, two rubber balls drop out of my shirt and dribble toward the wall that runs behind Jack’s desk.

Jack looks over and shakes his head, can’t conceal a grin. “Don’t tell me those are the squash balls missing from my gym bag.” Jack’s a wicked squash player, winner of many tournaments and always pushing me to join him. So far I’ve refused the offer to have my butt kicked in the guise of sport.

I hold back a laugh as I drop to the floor and chase the blue spheres across the carpet on my knees. He returns to flipping through the file.

When I stand up, balls in hand, I bump my head on Jack’s diploma from Hastings Law School, which in turn bumps his Valedictorian Certificate, which taps his Champion Singles Squash plaque.

Straightening one frame then the others, I'm reminded how different these guys are, Marsten & Tremble. Tremble's old school, his walls plastered with gray-framed diplomas, legal certificates and a large photo of him with Richard Nixon holding a sign that says: "**Vote against the Pink Lady**" (the Pink Lady being Congresswoman Helen Douglas, whom Nixon smeared as a Commie). The only other thing hanging on Jack's wall is a framed blue Frisbee with a picture of identical twin, blond-headed boys pasted in the center.

I keep my eyes on the Frisbee as I return to my seat, remembering the day when Mike's twin brother Flander chased that very Frisbee across Stinson Beach highway. Jack and I were baking in the sun after imbibing some good weed as Flander, lost in his six-year's world, didn't see the car coming. That was only a few months before the death of John Sr., Jack's dad (the original Marsten of Marsten & Tremble).

*Two horrible deaths, Flander from a car accident and his father from . . .* I can barely think what from, as it's tied to my darkest, most painful secret, one that I've been wanting to tell Jack for years but haven't due to the persistent advice of my mentor, Detective Wong Mein, who--

"Trip, what are you thinking about?" Jack says suddenly.

"Ahh, nothing. Just--"

"Baloney. I know that look. You're feeling sorry again for your bitter childhood."

"No, that's not--"

"Then it's that Frisbee, isn't it?" nodding at it with the back of his head. "If you can't handle it, I'll take it down."

"Fuck you, Jack."

"Fuck you, Trip."

"Not without a condom, you don't," I say sweetly.

"Can we cut the shit?" he says, extending the Yung Fo Jo Tong file to me. "I don't know what any of this means, but there's sure a lot of money involved."

~ ~ ~

### **"The Food Mafia:**

#### **The Truth, the Whole Truth, and Nothing but the Truth (so help me God)"**

By Jon Gordon & Steve Eggleston

~ ~ ~

“Behind every great fortune there is a great crime.”

Honore de Balzac, French Novelist & Founding Father of Realism

*The Oil Barons: Man of Greed and Grandeur*, by Richard O'Connor

*The Godfather*, by Mario Puzo

## PROLOGUE:

A man in a grey Trench coat sits sprawled in an over-stuffed chair in a dark room, the embers of a coal fire smoldering in a fireplace beside him. He strokes a cat on his lap, his mouth curling, the sense of a Max von Sydow in *Three Days of the Condor*. The cat purrs.

Scattered at his bare feet are his scuffed black boots and trousers. Between his feet, he watches familiar images on a wide flat-screen, and beneath his coat, he's only wearing his speedo and wife beater, which accentuate his hairy, pot belly.

Playing on the flat-screen is *The Godfather* – precisely, if you were a filmophile of gangster movies, scene 16. He removes from his coat an old-fashioned kerosene lighter, circa 1980, thumbs the flint bar. A flame ignites beneath his nose, illuminating a grizzled grey beard beneath a Borsalino hat, the hat of an assassin.

There are no family pictures on the walls of this family room. His family is long gone. Only pictures of East German military police, attachés, and agents, some posing in uniforms, others toasting at pubs, fill the frames. It is hard to tell which of the images of young men are him, if any.

He scrounges for something, pulls out a chocolate candy bar from beneath his leg, peels back the wrapper. Between puffs and smoke rings from his cigarette, he chews on the bar, relishing the mixed flavors of tobacco and sugary chocolate.

Scene 16 shows the Godfather, Don Corleone, gathering with the other Dons after the assassination of his oldest son, Sonny. Everyone is sitting around a long table.

The Godfather tries to make peace, but a thorny matter presents itself. Don Barzini wants the Godfather's political help (his widespread influence on judges and politicians) to protect his narcotics racket. Narcotics is the thorn.

The Godfather offers to forego vengeance for the death of his son, but objects to the narcotics trade.

Don Barzini urges it isn't fair for the Godfather to withhold protection from such a highly-profitable enterprise while providing it to all the rest. "Drug trafficking is inevitable," Barzini urges, "So, better to own and control it and limit it to the blacks," another Don offers.

The Godfather capitulates, provided no harm comes to Michael, his only surviving son.

The grey bushy head of the man in the grey Trench coat jerks violently to the sound of snoring, his own. He has fallen asleep with a lit cigarette pressed between his lips. The cat jumps off his lap.

On screen now is another scene where The Godfather is talking with Virgil "The Turk" Sollozzo, a top narcotics man who has associated with a rival family, the Tattaglias.

"Bene, Don Corleone," Sollozzo says. "I need a man who has powerful friends. I need a million dollars in cash. I need, Don Corleone, all of those politicians that you carry around in your pocket, like so many nickels and dimes."

The lips of the man in the grey Trench coat move to the sound of the spoken words, like a fan who has memorized the lyrics of a song.

"What is the interest for my family?" Don Corleone wants to know.

"Thirty percent," Trench coat says, synching with Sollozzo. "In the first year, your end should be three, four million dollars. And then it would go up."

"And what is the interest for the Tattaglia family?" Trench coat and the Godfather together inquire.

Smiling at Tom, the Godfather's consigliere, Sollozzo says, "My compliments," then Trench coat answers the question, his voice raised assertively, "I'll take care of the Tattaglias out of my share."

"So, I am to receive thirty percent for finance, for legal protection and political influence. Is that what you're telling me?" the Godfather reaffirms.

"That's right," says Sollozzo.

"Why come to me? What have I done to deserve such generosity?"

"If you consider a million dollars in cash merely finance..."

"Te salut, Don Corleone," Trench coat says.

"I said that I would see you because I had heard that you were a serious man, to be treated with respect," the Godfather continues. "But I must say 'no' to you and let me give you my reasons. It's true I have a lot of friends in politics, but they wouldn't be so friendly if they knew my business was drugs instead of gambling, which they consider a harmless vice. But drugs, that's a dirty business..."

Trench coat shakes his head in disbelief as he has done so many times before, smiles, then says aloud with bravado, "Addiction, Don Corleone. How could you not embrace the power of addiction in za pursuit of profits?"

He leans over and pulls to his lap a rifle, known to East Germans as the M24. Laying on the chair's armrest is a soft cloth, which he uses to polish the barrel of the sniper's best friend, whispering, "I believe in America. That's how I've made my fortune."

## CHAPTER 1:

Present Day – Los Angeles

The heels of my shoes click as I walk down the tiled hallway of the fifth floor of the Stanley Mosk Courthouse, downtown division of the Los Angeles Superior Court. Superior Court is where all the big civil cases play out.

A throng of media gathers at the end of the hall, together with a hundred or more spectators. A muscular bailiff stands sentry at the entrance to the courtroom, also known as Department 11, monitoring the crowd. The energy is electric, as if fans were waiting for the start of a Bruce Springsteen concert.

Several reporters break free from the crowd and rush my way. I recognize them. They have covered my case from opening statement to verdict, arriving each day at 8:30 a.m. and leaving over eight grueling hours later at 5:00 p.m. Many articles have been generated, most favorable, some not – two sides to an epic battle of David vs. Goliath.

My stomach growls from anxiety in anticipation of today's hearing, aggravated by black coffee, no breakfast, and scant sleep. On calendar are the defendants' post-trial motions to throw out the \$234 million jury verdict rendered in my favor last month, the second largest verdict ever given in a case of this kind. It followed a brutal, eight-week jury trial, a battlefield where blood was spilled.

Before the trial even started, the media were describing it as “the trial of the century,” wider reaching than the Scopes Monkey trial, bigger than O.J., more significant than Big Tobacco in its implications. One national writer wrote, “This case could change *forever* the way Americans buy food and view diet, and possibly break the back of the multi-billion dollar, sugar-driven Big Food-Big Sugar cartel.”

At stake is the future of America's health – obesity, diabetes, heart disease. Every man, woman and child will be impacted by the outcome. The outcome is what today's hearing is about – will Superior Court Judge Oskar Freimholdt affirm our \$234 million jury verdict or set it aside and enter judgment for the defendants?

The defendant is Hessen, a German “Big Food” conglomerate with tentacles wrapping the globe. In the world of food, it garners massive profits by its clever marketing of genetically-modified seeds

and products made tasty by food additives, processed sugar and high-fructose corn syrup, or HFCS, as it is called. Despite its happy product wrappers aimed at seducing children to want more, until death do us part is the real story. That is what I've come to learn.

Technically, the defendant is two defendants: the multi-national parent corporation, Hessen, GMBH, headquartered in Berlin for over a century, since before Hitler's rise, and Hessen USA, the wholly-owned American subsidiary that out-grosses all other Hessen subsidiaries worldwide and is the largest food company in the United States.

"Robert!" yells Larry Tashman, head legal correspondent for the Los Angeles Daily, the man who first described the case as "the trial of the century," as he enthusiastically leads the media pack closing in on me like hungry wolves. "Your thoughts on today's hearing?"

Though he takes a hard look at both sides, Larry has leaned toward us throughout, driven by the evidence and the science, so I like him.

"Hi Larry. You're looking quite dapper today." Early 50s, Larry's wearing a multi-colored tweed jacket, blue-striped dress shirt, off-green khakis and red Jordan Air high tops. In an earlier era, he could have played Vaudeville.

"I'm hoping for an affirmation," I say. "It's been a long, uphill battle as you know." I turn my chin, cracking my stiff neck that's grown stiffer from recent, sleepless nights.

"Do you think the Judge even read the briefs?" Another reporter from the middle of the pack yells to a round of laughter. The Judge's reputation precedes him.

"Honestly, I'm just happy to be alive," I say, waving off the rest of the reporters as I approach the door to the courtroom.

"Morning, Mr. Greystein," the uniformed bailiff says as he opens the courtroom door for me. "Good luck, and I like that tie." An assuring comment from a man supposed to be neutral, the bailiff has children and is human.

“My good luck Golden Bear,” I say, pointing to my signature Jack Nicklaus tie. “I only wear it for super-special occasions.”

“I know. You wore it for the verdict... Been working on some of those golf tips, game’s already getting better,” he says, winking and quickly shutting the door behind me as I enter the cavernous rectangle in which the case of the century has unfolded.

The Judge's bench sits in the center back facing the courtroom, elevated like the thrown of the all and mighty Oz. Behind it, on the oak-paneled walls hangs The Great (circular) Seal of the State of California, a montage of the majestic Sierras, San Francisco Bay, and the Goddess Athena, who sprung from Zeus.

On one side of the bench, as the Judge's desk is called, stands a tall pole holding the United States flag, and on the other side, a shorter pole bearing the brown-bear flag of California. Together they frame his Honor in revered patriotism, as if to obscure the gritty reality of law and life. A uniformed bailiff with a holstered gun stands century in front of the U.S. flag. On the other side sits the bespectacled court clerk, and in front of her, the court reporter, crusty-faced, thin and hunched over like an elder, female librarian.

Stage right, about 30 feet from the bench, is the plaintiff's counsel's table, a long oak slab on legs located adjacent to the two-level 14-seated jury box (six top, six bottom, 2 alternates to the side). Stage left is defense counsel's table, or should I say, the table for all the devil's men. What the devil's men put me through in my pursuit of justice is plain despicable, and what their clients do is worse, I think to myself as I stride up the aisle with the guarded confidence of a victor whose fate now lies in the hands of one man, the judge.

Gerry Moretti turns and smiles from the plaintiff's table, a twinkle in his eye, the devil may care in his smile, a portly push against his vest. Silver-haired like Anthony Hopkins, and cunning like a fox, he's my attorney and the man who brought home the \$234 million verdict on my behalf – actually, on behalf of Newkirk, LLC, the small company I formed to introduce healthy, sugar-free foods into the marketplace several years ago, beginning with the simple cookie, until maliciously crushed by

Hessen and the Big Food strongmen.

Yes, on one level, the trial of the century is about the simple cookie. But on another level it is about sugar – arguably the most dangerous food additive known to man – and Big Food's scheme to protect (at all costs) a multi-billion dollar industry that puts profit before health.

Our opponent - or enemy, since we're being honest - is James Lang, of Lang, Krupp, Essen & King. He's the lead trial attorney representing the Hessen defendants. Sitting with his back to me and donning another of his \$5,000 tailored suits, Lang's Nixon-esque nose is deep in the thick legal brief his minions filed in an effort to overturn the \$234 million verdict.

As I reach the plaintiff's table and shake Gerry's hand, Lang glances at me sideways, snorts in contempt, then returns to jotting notes on his yellow legal pad. After our tangle at my deposition and during trial when I took the witness stand, and given the whopping verdict against Hessen which he took personally, we're not exactly on speaking terms anymore, Lang and I. I take a seat left of Gerry, who now sits between me and the devil's advocate.

At the tick of 8:30 a.m., a third bailiff attired similarly to the other two, opens the courtroom doors to the public from the inside out. Like water through a narrow funnel, the herd of bodies squeezes through the entrance, then spreads to the best available seats. It's general admission, so to speak, no assigned seating except for the media who, with my wife, Susie, have exclusive rights to the first two rows.

In most trials, the plaintiff's supporters sit behind the plaintiff's table, and the defendant's supporters sit behind the defense table. But this is not most trials. My fans have taken over the courtroom, like ivy spreading over a building, leaving no seats for anyone else unless they beat the early bird to the courthouse and secure a slot in line well before the sun rises.

Gerry whispers to me, "I hope old Freimholdt woke up on the right side of the bed today."

We both smile.

“Me too,” I say, my stomach releasing another growl.

“No Susie?” he asks.

Susie attended many days of trial, putting her real estate practice on hold, sitting directly behind me with overt love and support. Our sugar-free, gluten-free, totally Kosher cookie – *Susie’s Cookies* – the heart of this legal battle, was named after her. So, she has an elevated personal stake in the matter, in addition to being my wife, though the trial has clearly taken its toll on our marriage.

“No, she’s closing a big one today,” I say, “that five-bedroom she’s been talking about in Palm Springs. But she said we were going to win anyway, not to worry.”

“I wish I had that same level of confidence,” Gerry snickers as he squirms in his seat. “Those comments made by *His Honor* after the verdict came down, when he set this hearing, give me serious pause.”

It's not like Gerry to be worried, but I notice the sweat rings widening around his arm pits. Even for Gerry, it's not every day that a \$234 million jury verdict hangs in the balance, subject to the subjective whims of a third-rate superior court judge with, to put it lightly, a chip on his shoulder and a questionable reputation for impartiality.

Gerry's specific pause is a reference to the Judge's enthusiastic setting of this hearing and his unsolicited comment that he had “grave concerns about the size of the verdict.” The fact that he might shave the verdict by over \$100 million, is to be expected, I told Susie. That would leave around \$134 million, a healthy sum, no pun intended. “Apparently it happens all the time,” Gerry said when the motions were filed. But, unlike Susie, I am, to be candid, worried sick.

Sitting back straight, trying my best to be a figure of poise while grinding my teeth, I turn and look to the packed courtroom, so thick with media and spectators that bodies are spilling into the hallway. Several wave to me and wink, as the bailiff counts heads to determine which lucky person will be the last one allowed inside.

There, I see the young reporter with red hair and big, inquiring eyes wearing a “Bernie Sanders for President” hoodie. She’s the last one in, the bailiff pulling the door tightly behind her. Her name is Sandy, a freelance writer hoping to make her big break. During trial, she slipped me several notes asking for an exclusive interview after the trial was over. Always a sucker for a pretty face, finally I slipped her one back, telling her to contact me after the case was over.

Unlike spectators in most trials, virtually every person in the courtroom has some kind of unhealthy processed food product in their hands -- a small box of cookies or cereal, nutrition bars bound together by corn syrup, some kind of hard, soft or sticky candy that sends kids into sugar orbit.

It's part of a bizarre ritual that sprung up the first day of trial, one fan then another and finally everyone bringing to the courtroom boxes of unhealthy, processed food targeted to innocent children – food that often leads to obesity, diabetes and heart disease, i.e., to an early and painful death, that could easily have been avoided if Big Food had put health first.

The room suddenly goes quiet as the door behind the bench pushes open. In with a flourish walks Judge Oskar Freimholdt, late 60s, thinning blonde hair, fair skin, blue eyes, Aryan to a tee. So much so, he and Lang look like they could be father and son. Several curious reporters even so inquired, prompting raucous denials from both.

The bailiff positioned at the front of the courtroom before the U.S. flag intones, “All rise. The Honorable Oskar Freimholdt presiding.”

Everyone promptly stands, lawyers, media and spectators alike. It's the daily ritual, like standing for the National Anthem at a ballgame.

The Judge sits, rearranges some items on his desk, then looks up at the packed courtroom. “I see no one has lost interest in this seriously important case which, for better or worse, could adversely impact the American food economy for decades to come.”

“Yesss,” the audience says together, some heads bobbing, some chins cocked with curiosity as to what the judge really means. The Judge smiles a wry smile, tolerating this small lack of decorum in

his otherwise tightly run ship. The wry smile, where only one side of his mouth curls up, gives me a funny feeling, however, as does his reference to the food economy rather than America's health. We had argued health and diet; the defendants, food economy and profits. Hopefully his choice of words doesn't forecast his sentiments. I grab my stomach to suppress another growl.

"Please, be seated," the Judge says. Everyone does so, and in a few moments, the hush of the courtroom signals that the horses, so to speak, are in the gate.

The Judge looks to the court reporter, still hunched over her machine, one of the few remaining remnants from the past that has clung on despite the digital revolution. She nods, indicating she's ready to take notes, with the rhythmic punching of her fingers, every single word spoken for the official record.

"Okay," the Judge says, "this is Case number 349988, Newkirk, LLC vs. Hessen, GMBH, and Hessen USA. We are here today on the defendants' Motions for Judgment Notwithstanding the Verdict or, in the alternative, a New Trial. Counsel, please state your appearances for the record," and they do.

The Judge lifts his glasses and wriggles his nose, the right side of his mouth again curling up, the "tell" that precedes his edicts. My heart immediately starts to race, my innate intensity employing it as a hammer against my chest. Virtually every time he has done that, the outcome has been bad for us.

"Gentlemen, I have read the briefs submitted by both sides."

The media rows bubble with snickers until the Judge's pointed look quiets them.

"Might I comment for the record on the excellent and thorough work product reflected in the submissions by both sides. You have made the Court's job much easier. So, unless either of you has something to add, I am ready to rule."

## CHAPTER 2:

*Ready to rule?*

My head whips toward Gerry, turning both shoulders like a clothes hanger. We thought for sure the Judge would hear oral arguments by the attorneys and then take the matter under submission, sending out his written ruling after several weeks of careful research and consideration. Now Gerry's in the throes of making a split-second strategic decision on whether to stand pat or argue a few additional points. He looks to Lang, who is already rising from his seat as he adjusts his tie.

"Your honor," says Lang with confidence brimming on bravado, "the defendants have nothing to add, except perhaps rebuttal to anything plaintiff's counsel might say." He twirls his hand in the air, sits, back straight, then clasps his hand on the table before him, a preacher throwing himself at God's mercy. But Lang's bravado concerns me; it's as if he knows the fix is in.

Gerry stands, his mind no doubt processing countless subconscious calculations known as instinct. He makes the call. "Likewise, your Honor. The matter has been thoroughly briefed, as you so graciously say. We are prepared to submit to the Court." He is, of course, gambling that the Judge who has allowed us to go to trial in the first place—denying two pre-trial defense motions to throw the case out - will now rule in our favor and uphold the verdict rendered by a jury of our peers after receiving eight weeks of evidence and testimony.

"Well then, excellent," the Judge says. He picks up a single piece of typing paper, on which apparently his ruling is memorialized, and reads from it. "The Court has read all the briefs and materials submitted by both sides, and has given the matter careful and deliberate consideration. Finding a lack of substantial evidence to support the verdict against either defendant..."

I feel the heat explode off Gerry's face as it turns crimson, then feel the heat from my own face. My ears start ringing so loudly I can barely hear the Judge's voice.

"... This court grants the defendants' Motions Notwithstanding the Verdict, vacates and sets aside the verdict against each of the defendants and, accordingly, enters Judgement, respectively, on behalf of defendant Hessen, GMBH, and defendant Hessen, USA. As the prevailing parties, both Hessen defendants are also awarded costs, to be determined at a later hearing upon proper noticed motion and filing of a timely Cost Bill."

Gerry's chin drops. My body goes weak, the tension of my athletic torso dissolving, my ears ringing like the bells of a two-alarm fire. Feeling dizzy, I lean against the table to prevent myself from falling off the chair. "Did he just throw out the verdict?" I say in astonishment, unable to fully process what I think I just heard.

Like the utter silence before a nuclear bomb detonates, the courtroom is frozen. It's as if everyone ceased breathing and time stopped. Then an eruption of screams is followed by angry epitaphs from the crowd and a crush of reporters racing to the hallway to be the first to post the court's ruling to the digital world.

Yes, my brain says, he has just thrown out the verdict and given victory to Hessen. We won the battle, but Hessen, at least as of today, has won the war by judicial fiat.

I look back at the crowd, my mouth gaped open in shock, and then to the Judge, who is staring straight at me, then back to the crowd. My body spasms. Someone hurls a snack box at the bench. It flies over the Judge's head and smacks the wall behind him, spraying miniature cookies in all directions. I frown, then laugh out loud, unable to control myself.

This is followed by a spray of miniature cereal boxes, animal crackers, candy bars, and Halloween-style candies, as if being shot by a confetti gun. The Judge ducks left, then right. A once-frozen TV dinner whips by the bailiff like a Frisbee, tangling in the California flag, which with the American flag, falls onto His Honor's lap. If you didn't know better, you'd have thought it was the food fight

from *Animal House*.

The Judge raises his mallet from beneath the flag— the image of a man under a tent of stars and stripes and a bear - and starts hammering the bench and yelling, “order in the court, order in the court!”

A half-dozen bailiffs come out of the woodwork, two removing the flags from over His Honor's head. Quickly the courtroom is cleared, leaving only the disheveled Judge, counsel and parties amid the food wasteland.

“I saw that, Mr. Greystein,” the Judge growls as he brushes food crumbs from his lapel. “Don't think I didn't.”

“What?” I say in genuine disbelief.

“I've been watching you instigate those spectators for eight weeks now.”

“Judge, I, I, I,” I stutter, not believing my ears.

“Enough. And counsellor...” He's looking at Gerry. “You're obviously in on it, too. You've created a damned riot in my courtroom.”

Gerry leaps to his feet. “Your Honor. I had nothing to do-”

He hammers his gavel. “Sit down. I'm holding you and your client both in contempt. Bailiff, please escort them to jail. In handcuffs.”

And the nearest bailiff does. He cuffs me first, then Gerry, lifting us to our feet from behind. Both of us stand there, like criminals at the dock. I can't believe my own eyes and ears. It's as if my mind has left my body. From \$234 million verdict, to handcuffs and jail.

As the bailiff leads us out of the courtroom, I notice that the young freelancer, Sandy, is still

standing in the back, tapping on her iPad. Apparently the bailiff has allowed her back into the courtroom under the guise of getting her purse, as otherwise the courtroom remains mostly empty of media and spectators. What she's doing is googling the name and address of the Los Angeles County jail, I will later find out.

Oddly, neither of us notices the man in the grey Trench coat who is still sitting in the back, at the far side of the courtroom, blending in like a chameleon, carefully observing both of us and secretly videotaping the whole affair.

~ ~ ~

### **"Overcoming Your Adversities:**

**How a kid from 'Bomb City USA' went from the streets to the mafia to the NFL..."**

By Dr. Kenneth Polke & Steve Eggleston

- *Chapter 2-*

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### **TAP DANCING AT EUCLID BEACH PARK**

"I don't make love by kissing, I make love by dancing."

~ Fred Astaire

~ ~ ~

Inspired by New York's Coney Island, Euclid Beach Park embodies the mixed spirit of 1950s Cleveland.

On the one hand, it exists for families. No alcohol is allowed, and it's a wonderland of sights, sounds and smells, all designed to climax the five senses. Colorful lights much like Christmas morning outline the carousels. Screams from the thrilling roller coaster rides, and the taste and smells of the original popcorn ball and Candy Kisses (taffy squares), which BTW are to die for, permeate the park. Bet ya can't each just one!

On the other hand, for young couples in love, there is no better place to go than a day and night at the popular Beach Park. With its Flying Turns, the Dodge ‘em electric bumper cars and the Swinging Rotating Cages that couples try in earnest to flip in a complete circle, daytime thrills turn into a night of romance. And when the sun begins to set, it’s time to sashay to the Ballroom, where the world’s biggest stars perform within arm’s reach of the wooden dance floor. Performers like Frank Sinatra, Tony Bennett, and eventually, Elvis, all took that stage.

On this particular night, the stage is dark. Thursdays are devoted to dancing, with Dizzie Gillespie’s “A Night in Tunisia” energizing the room in harmony with the spinning disco ball. Spotlights sweep the floor as a young couple emerges from the perimeter shadows. He’s tall, athletic and handsome; she’s eye-catching with her slim waist and fiery-red hair. They twirl on light feet as he spins her around. Then he releases her, breaking into a dazzling display of tapping, a budding white Bojangles.

Suddenly the young man stops and drops to his knee, her hand cupped in his. The music stops. “Lois,” he says softly, all eyes on them, “will you marry me?”

Her hand jerks to her gaping mouth, caught totally by surprise. For a long moment, she’s speechless. Then as tears stream down her cheeks, she says, “yes, yes, yes, Gene Polke, I will marry you, and it’s about time you asked.”

Allow me to introduce to you my future parents.

~ ~ ~

Several years later, I’m still only a twinkle in my dad’s eye when, at 4:00 a.m. on June 25, 1950, seven divisions of helmeted North Korean troops invade South Korea by crossing the 38<sup>th</sup> Parallel. The aggression hits America like an unforeseen tsunami, washing away our idyllic, post-World War II peace and prosperity.

“This is the first coast-to-coast television broadcast in history,” the staid man in the gray suit and gray tie – Walter Cronkite – narrates from within the square screen of our brand new black-and-white television on September 4, 1951.

“Honey, come quick,” dad says, standing back and admiring his work in setting up the new TV set, their first purchase as newlyweds.

“You got it working,” mom says, her stomach large and eyes growing in wonderment at the new contraption.

Dad beams a big smile as he adjusts the rabbit ears to sharpen the picture, Cronkite continuing with the live broadcast: “This first transcontinental television broadcast originating from the Opera House in San Francisco will bring you the President of the United States, Harry S. Truman, addressing the welcoming ceremony of the Japanese peace conference....”

“What is this about, Genie?” mom asks with confusion. “The Korean--“

“No, it's historical. It's about when we signed the peace treaty to World War II. It's never been televised before. No one except those who were there have ever seen it.”

“Wasn't that, how long ago, when was that?”

“Shhhh, Lo,” dad says bordering on rude, a quality very out of character for him, as he was typically a gentle man with whom every woman fell in love due to his politeness and romantic gestures. But in his defense, he sensed the importance of history in the making.

To a thundering applause, the President with the homespun voice takes the televised podium and says: “... I'm glad *to* welcome you to this conference for the signing of the Treaty of Peace with Japan. The people of the United States are honored to serve as hosts to this meeting. Six years ago, the nation's representatives at this conference were engaged in a bitter and costly war. Nevertheless, these nations and others came together here in this very hall to set up the United Nations as the first essential step toward a firm and lasting peace. Today they meet here again...”

There, in the living rooms of millions of Americans, including my parents and me *in vitro*, we see for the first time what our President said *six years earlier* (not six minutes earlier or live like today). And in his speech, Truman quotes deceased President Franklin Delano Roosevelt from comments he made on the 1941 attack on Pearl Harbor: “When we resort to force as now we must,” Truman quotes Roosevelt, “we are determined that this force be directed toward ultimate good, as well as against immediate evil... for a world ... safe for our children. That's our purpose here today... We are trying to build a world in which the children of all nations can live together in peace... Unfortunately today, the world is faced with new threats of aggression... there are thugs among nations, just as among individuals...”

~ ~ ~

Ironically, outside technology, the world has not changed so much, though in late 1951 and early 1952 of course I'm oblivious to it all, kicking in my mom's womb as America gets drawn deeper and deeper into the aggression known as the Korean "Conflict," initiated by thugs known as the Korean People's Army.

"Thank God we are winning the war," mom says one day.

Dad looks up from one of the many borrowed library books he's reading in the living room and puts his hand to his chin the way he does before he's about to disagree with her, as if tactically planning his approach.

"Lois, I don't think we're winning. They caught us with our pants down."

"Don't say that, Genie Boy."

"No one knows why we are there," dad says. "Supposedly it is to stop the spread of Communism."

"But Truman says we're winning. I read it in a magazine."

"Truman won't even call it a war. He calls it a police action."

"What the heck is that?" mom says.

"Who knows, but did you know that Truman's military guys are thinking about dropping an atom bomb on China because of this 'police action'?"

Mom stops cooking for a moment and looks at dad, speechless. He has forgotten that she has new life inside her -- me. She rubs her protruding stomach.

"Can we please talk about something else?" she says, then mumbles to herself, "may the Good Lord keep us safe."

~ ~ ~

On that same television network, dad watches the first NFL football broadcast of a Cleveland Brown's game. He's excited and looks forward to seeing more games, as he cannot afford tickets to

attend a game at the stadium. Then everything comes to a halt. The “police action” requires everyone to drop what they are doing and prepare for another war.

At the time, Don Shula, the man who would later be Head Coach of the Miami Dolphins, works as a second-string running back for the Cleveland Browns. But in January 1952, he's deployed to the Ohio National Guard. His military service will keep him away from football until his unit is deactivated later that year.

After leaving the Guard, Shula signs a \$5,500-a-year player contract with the Browns. Yes, that's right. The Browns will pay him a mere \$458.33 per month, and he will play in five games to end the 1952 season, starting first-string only because of injuries occasioned to other players. That year the Browns again advance to the championship game, but lose to the Detroit Lions for the second year in a row.

I don't know it at the time, but football coaches like Don Shula will ultimately have a profound influence in the shaping of my life, character, and career. Coaches Vincent Lombardi, Paul Brown, Ron Marciniak, John McVay, and Bill Gutrod will join the ranks of Coach Shula – each contributing in his own unique way to my struggle, survival and success.

Likewise, the Green Bay Packers, the Cleveland Browns, the University of Dayton Flyers, the St. Joseph High School Vikings, and the Miami Dolphins – the teams associated with these coaches - will influence me for better or worse in my trek to overcome the adversities of my youth and become a man.

#### **EXERCISE:**

- Do you find yourself depressed due to the negativity in the world, with terrorism, war and hostilities seemingly all around you, and if so, how?
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- Are you excited yet overwhelmed by the vast volume of current information from around the world that enters your life on a daily basis, much of it negative? Write out some examples.
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- If you are constantly struggling to understand what it all means and how you will carry on against the negativity and adversity around you, propose some solutions.
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- *Chapter 2* -

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LOVE, BIRTH & FIRE

“The family, founded upon marriage freely contracted, one and indissoluble, must be regarded as the natural, primary cell of human society. The interests of the family, therefore, must be taken very specially into consideration in social and economic affairs, as well as in the spheres of faith and morals. For all of these have to do with strengthening the family and assisting it in the fulfillment of its mission.”

~ Pope John XXIII, *Pacem in Terris*, 1963

~ ~ ~

No wonder I’m born in 1952. My dad loves crooner Vic Damone, and he’s churning out love songs like nobody’s business. “So in Love,” “Almost Like Being in Love,” “Love Letters,” “A Time for Love,” “Once I Loved,” and “Our Love Is here to Stay” – all blare from the tabletop radio in our inner city Ansel Road apartment during my venture in the womb. With a little bit of Frank “Chairman of the Board” Sinatra and Dean Martin thrown in for good measure, it’s a perfect fit for the nascent baby-boom.

Dad is Eugene Polke, aka “Genie Boy.” His cousins are “Buddy Boy” and “Pettie Boy” (pronounced Pete-e). All are Slovenian, meaning they hail from one of the five tribes of Yugoslavia. The Slovenians love their nicknames, so by the time I’m a teenager, people call me “Poke Salad.” Mom doesn’t have a nickname to anyone but dad, who sometimes call her Lo, but if she did, it might be “Fireball,” on account of her vibrant red hair and fiery personality. Before she married dad, she was Lois Price, derived of strong, German stock. Both mom and dad were born in the U.S.A., as were their parents before them.

Arriving April 14, 1952, and weighing in at nine pounds, eleven ounces, I enter the world a sickly baby due to a chronic brush with asthma caused by severe allergies. Before I'm two, I turn blue and almost die three times, or so I'm told by my mother. Maybe that makes me tough later, except it leaves a psychological scar, an Achilles heel if you will. Whenever I'm claustrophobic and can't get enough air, to this day I go into panic mode.

Fortunately for me, my parents find Dr. Harold Friedman. Doc Friedman is one of the few doctors in this era who knows how to treat asthma as it should be treated. Cleveland had – and still has – some of the best physicians in the world as part of the downtown medical complex, and fortunately for me, Dr. Friedman is one of them.

In 1916 Mt. Sinai Hospital relocated from its original location on East 32nd Street to the larger facility at East 105th Street, which is where I am born. After I enter the world, mom tells everyone, “you could hear Ken screaming from the top of the actual Mt. Sinai!”

Thankfully, despite its origination as a Jewish hospital, by the time of my debut, Mt. Sinai Hospital has become the number one healthcare provider to Cleveland's urban poor, irrespective of race or religion. That includes me and my brother and sister soon to come, as our parents are not financially well off despite their strong Christian work ethic, and despite the fact they would *never* in a million years describe themselves as poor.

From the windows of the Mt. Sinai maternity ward, one can see Case Western Reserve University, including the Dental School where I will alight 25 years from now as a freshman dental student. That's the same year – 1977 – that a so-called “Trojan Horse” car bomb (a bomb planted in an adjacent car) horrifically explodes, taking the life of Collinwood's notorious Irish mobster, Danny Greene, described by the police as the “King of Racketeering.”

Quite ironically, Danny will die in the parking lot of his dentist, with whom he had made an emergency appointment to fix a loose filling. The dentist will be Dr. Alfonso Rossi, a professor in the dental program in which I will have enrolled several years after departing the NFL. A reason to brush your teeth if there ever was one. But I get ahead of myself...

#### **EXERCISE:**

- Do you have a history of loving dance, music or the arts such that they might become a

source of empowerment for you to overcome your adversities, and if so, what are they?

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- Were you or your parents born into controversial times yet able to overcome the negativity, and if so, list some ways they did so?
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- Do you have family stories that you might call upon to provide strength in difficult times?
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## ***IOP***

A Legal Thriller / a Ryder David Ellington Novel

By Steve Eggleston

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### CHAPTER 1

A SWARM OF MOUNTAIN BIKES zoom down Herb Caen Way in the orange hue of early morning San Francisco, the riders' calves pumping the tubular metal frames forward. Racing past Pier 39, they awaken the 1000-strong herd of seals – dubbed “Sea Lebrities” - that long ago homesteaded one of the most expensive pieces of real estate in the world. A cacophony of boisterous if not downright angry barking punches the air.

The helmets of two riders – man and woman, apparent from their build and hair - jerk toward each other, the faces beneath beaming new love smiles. But new love is not the reason for the smiles – they are cycle and drone fanatics. They both avert their eyes upward. Stalking them from above, as if a hawk shadowing its prey, their four-prop drone whirs in tight formation behind them, never veering from its programmed “follow-me” coordinates.

He gives her a vigorous thumbs up. She nods, then both slow, allowing the pack of pumping frames to whoosh by them. Stopped, both tilt their bikes sideways onto the gray, weathered planks that constitute the wooden flooring of Fisherman's Wharf. She swings off her back pack, swiftly removing a toggle-switch monitor.

Thumbs to toggle, she grabs the drone by the electronic signal that connects them. It abruptly drops down from the air, whirring louder as it gets closer. He extends a flat hand, on which she lands the drone perfectly. "Awesome," he exclaims.

"Damn right," she replies.

He hands it to her, then jerks his cycle under his crotch as he points down a side street. "That's it, down there," he says.

She looks at her iwatch. "Hon, we're going to be late."

"Doesn't matter," he replies. "You know I have to touch the wall," he yells over his shoulder as he takes off with a fury.

"You don't need it," she yells, knowing it's his good luck ritual to touch the wall before any major event. Several years ago it was where he went before giving his final argument in the Tobacco case, then quickly after the clerk called to tell them the jury was ready to return its verdict, then today, in anticipation of the Supreme Court's ruling on the Tobacco company's appeal of that verdict.

She slips the drone sideways into her backpack, climbs onto her cycle and peddles after him. He jerks to a stop near a plywood plank that covers a section of the sidewalk. Without leaving his bike, he scoots the board to the side with a heave of his toe, exposing a dark, gaping hole that leads via a broken cement stairwell to an even darker tunnel below.

Ry, we really don't have time today," she exclaims as she arrives. But it's too late. He's already descending the steps, heading to the point where they also first made love, and where he that same day proposed marriage to her to complete their storybook love affair.

About to follow him, she feels a presence, prompting her to hunch up her shoulders and turn her head nervously around her. Seeing nothing, she descends behind him, her back tire bouncing so high it almost flips her off the seat. As she descends, a four-propelled black drone bearing two

miniature missiles drops to the opening behind her and hovers, the infrared eye of the attached camera capturing the two cyclists as they disappear deeper into the darkness, their bike lights casting angular reflections against the heavily-graffitied tunnel walls.

A mile away, a man dressed like a jogger is relaxing on a park bench at the edge of Golden Gate Park. He's wearing a red and white 49er's sweat jacket with the hood cinched tightly beneath his chin so as to obscure his face. Through the first-person googles strapped around his head he's watching the imagery being captured by the drone camera. When the bikes disappear, he taps a red button on his iphone drone monitor, which causes the missiles to drop into firing position.

With his finger hovering above the kill button, the man looks around to make sure no one has happened onto his battlefield, which is the way he sees it. Coast clear, he speaks softly to the blue-tooth microphone attached to his ear by a curved wire. "Targets are subterranean," he says, his tone an octave grimmer. "Should we terminate?"

"No, let's wait," the gravelly voice on the other end says. The man stomps his foot in disappointment, his reaction involuntary. "Just return to base."

The man moves his thumb to the return-to-home tab on his iphone, prompting the drone to rise and scurry 30 mph above the treetops in his direction. When it materializes into sight, he stands and mutters under his breath, "next time."

## CHAPTER 2

A TANGLE OF TWO mountain bikes fills the entranceway to a tiny apartment. Several feet away, a handsome, muscular young man in wavy hair stands nervously in place, shifting his feet, legal briefcase in one hand, mobile phone in the other. We recognized him as one of the two cyclists.

Running through his mind, and the reason for his nervousness, is money. The cost of trying the massive Tobacco case has plunged their small law firm deep into debt – somewhere in the \$2 million range, he's estimating in his mind for the umpteenth time. The firm's credit line has been stretched to the limit, and it's not even his credit. If money doesn't arrive soon, the firm might go under, dragging with it decades of pride and success.

"Hon!" he yells for the second time. "You coming?" Of course she's coming, he thinks, snickering at his mental choice of words as he peeks into their bedroom. He and his wife, an attractive dirty

blond with shoulder-length hair, always travel to work together. She is the other cyclists, but now she's the one making them late.

"If you hadn't gone to the wall—" she says then stops. "Give me one second." She sweeps her face with a makeup brush and blinks rapidly to ensure eyelashes are right.

Only three and a half years out of law school, he and his wife tried their first and only case to jury verdict, winning a whopping \$20 million. They did not do it alone, of course. His grandfather, a legendary trial attorney, had co-chaired the case. But the old bull had insisted that the young bull be lead, saying it's time "to sink or swim, young man. I don't want to leave my legacy to a piker."

After winning the verdict, the little but proud firm had celebrated late into the night. By midnight they had been so ecstatic that he had dropkicked a silver champagne bucket given to him by some of his law school buddies, sending ice and cold water spraying across the bar, while exclaiming: "we kicked their asses through the goalposts of life." But before the hangover had worn off, the smug Tobacco defense team had challenged the judgment on appeal, treating the hard-fought jury verdict as if it had no permanence or meaning of any kind, paying not one cent to satisfy it.

It's hard to tell what is fidgeting more, his feet or his hands. He reaches down, grabs a cable remote, then clicks on a nearby flat screen resting on a thin credenza. *Has the Supreme Court's decision made the early morning news*, he wonders as he flips to CNN. Seeing nothing, he lights up his iphone and holds the control button. "Hi Siri, Supreme Court decision in Ellington vs. Big Tobacco."

"Hon—" he starts to yell but stops, suddenly feeling squeezed by the tight confines of the Coit Tower apartment where he and his wife have lived since law school. If the case ever resolves, their plan is to buy a house and move A-S-A-P. Recently both have felt a shrinking claustrophobia.

"Ellington verses Big Tobacco," Siri says in a clear female voice. "Case on appeal to—" He punches the voice off with his thumb, as it's the same thing he's been hearing for weeks.

He turns toward the bedroom, bumping his briefcase on the rickety coffee table onto which he has returned the remote. The bump topples a yesterday coffee cup that releases a small stream of curdled coffee that runs under the remote.

"Shit," he says under his breathe, grabbing the remote and tossing it to a nearby love seat.

His left hand squeezes the soft leather handle of his box-shaped legal briefcase. There's a reason for that. Inside the briefcase resides a letter he received by bike messenger at the law office the previous afternoon. The letter offered him – them – "\$5 million cash payable in five days," to settle the appeal that he expected to be handed down and made public about one hour from now.

Upon receiving it, he had gone straight to his grandfather – and co-trial attorney – on what to do. His grandfather had left the decision to him. "How will you mature, son, if I make this decision for you," is the only input he had offered.

"But you have so much on the line, granddad," he had replied.

"That's why I'm leaving the decision to you. It's time you grew up. I'm not getting any younger, you know."

The appeal could go either way, of course, he's thinking to himself. He may be new to the legal game, but he fully understands he – they - could win or lose everything if he makes the wrong call by rolling the dice, as they say in legal circles.

Technically, the offer had expired the previous evening "at 5 P.M. sharp," because he had not accepted it by the stated "drop dead" expiration time. But he knows if he calls opposing counsel right now, he can still make the deal. *Take \$5 million or roll the dice?* That is the dilemma facing the 26-year old lawyer, who is wise beyond his years yet wet behind the ears on matters as weighty as this.

RYDER DAVID ELLINGTON inhales the drifting aroma of his wife's sweet perfume. Normally it would arouse him, but not today. Earlier that morning when taking their daily cycle spin they had argued over the letter to the point of antagonism. In her methodical way, his wife, SHERBERT MARIE ELLINGTON, had explained all the reasons why he should take the settlement offer. Her logic had been unassailable: the firm could not withstand the financial disaster of losing a case in which it had invested over \$1.5 million in costs for experts, depositions, trial, all while working on no other cases for nearly three years.

Upon returning to their apartment earlier in the morning the argument had resurfaced, in no small part due to the ticking clock on the appeal. Rather than face her logic directly, he had stomped out of the apartment alone, ascending to the top of nearby Telegraph Hill to inhale the panoramic bay

view and reconsider her logic. Instead his emotions had overwhelmed him. There he had been reminded of his childhood, when his mother had taken him to the exact same spot to escape violent arguments with his trial lawyer father.

As a result, all of his wife's logical points had evaporated into the blustery bay breeze. His converging emotions had reminded him that the Tobacco case on appeal was not about money, but justice. He could not settle, because to settle would be to compromise, and to compromise would be to sell out the person most dear to him in his entire life.

You see, the plaintiffs in the case were not strangers. They were his mother and himself -- more precisely, his decedent mother's estate, and he, as her sole surviving legal heir and the son who would receive the entire \$20 million verdict (less attorney's fees, of course) if it were affirmed on appeal. Or his share of the \$5 million if he settled. Or nothing, if they lost on appeal.

His mother had suffered a tortuous, five-month death spawned by a voracious attack of lung cancer. The cancer had followed a lifelong habit of cigarette smoking that had begun when she was 16 years old, a time when it was cool for young people to smoke. He had never smoked, but had sworn to avenge her death.

It was not her fault, he had argued to the jury. His mom's addiction had won the battle over her free will, just as the Tobacco companies had callously intended. Now, he thought, he could not bring himself to compromise justice for evil, no matter what the risk or price.

### CHAPTER 3

CARL BAUCOM – a double for actor Peter O'Toole with the wide gap between his two front teeth and his lanky gait - had always considered himself an independent thinker. In college he had become an avid Ayn Rand follower soon after reading the *Fountainhead*.

This early morning he leans his old-school Ducati motorcycle into a sharp turn on the panoramic Pacific Coast highway, plunging toward Stinson Beach in the brisk dawn air. To the left, Mount Tamalpais drops stunningly into the Pacific Ocean, and to the right, the mountains rise up toward the heavens, casting a wide shadow over the road. Despite riding for decades, this particular route has always taken his breathe *and* stomach away.

Despite his best efforts, and despite the breathtaking ride, he can't shake from his mind deep-seated worries about his old company, Dazzle, Inc. Five years earlier he had landed a huge contract with the U.S. Defense Department to supply smart LED bulbs and meters to tens of thousands to cities and counties across the country, from coast to coast. Within three years, he had resigned. The top secret LED program, he had learned, involved far more intrusion into the lives of Americans than he had every conceived. The program was truly Orwellian.

His decision to resign had not been an easy one. After years of toiling in the lab, he had created a smart LED bulb and concomitant smart meter that were so powerful as to constitute stationary robots with A.I. capability. These bulbs could literally think for themselves. When awarded the defense contract, he thought, he had finally been recognized for his single-minded devotion to scientific truth. Like Thomas Edison, he had always believed: "I have not failed. I've just found 10,000 ways that won't work." Until LED.

But almost immediately after being awarded the contract he had felt a deep inner worry that accepting it might be failure number 10,001. He could not exactly put his finger on it, but it troubled him so much that he had been unable to sleep at night after signing the contract, tossing and turning and experiencing the resurfacing of childhood nightmares.

During contract negotiations, he had fought arduously to reserve his right to quit at any time for any reason without losing his stock options. They had wanted his revolutionary robotic LED product so badly that they had conceded his point, feeling he would never leave anyway. How wrong they were. When he had given his notice the previous afternoon, everyone had been jaw-dropped.

Everyone, that is, except a handful of guys from the National Security Agency to whom he had sent a letter raising his serious concerns over the unprecedented invasion of privacy that the LED Program was about to unleash. Among other things, he had firmly expressed his belief that the program would go far beyond anything every implemented before. That letter he had sent about six months, after which all sorts of odd things had started happening around his house – computer turning on, lights going out, his car starting on its own. Eerie things.

He clinched the hard rubber handlebar grips tight with his hands and leaned left. Suddenly the highway opened up, revealing an endless vista of spaciousness, dotted on the horizon by a

translucent, gibbous full moon. For a moment he was airborne, literally flying, stomach in his throat, eyes wide. He loved the feeling of freedom.

Then his bike treads landed, gripping the hardness of coastal highway road. For a moment, his worries had vanished. That's why he loved America, he thought. That's also when the swarm of blinding bright lights hit his face.

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### **"The Boy, The Horse, and The Conquistador"**

by Steve Eggleston

#### Part I

##### The Boy

###### Chapter 1

A magnificent body of rippling muscles snorted in the trees at the edge of a grassy clearing. It twisted and turned in place, spinning and twirling, a thousand pound ballerina, long black mane and tail whipping in the blustery wind. A shriek and a whistle filled the crisp, early-morning air, belted out between snorts and stomps. The turf churned under his feet, torn in clumps by hooves of steel.

A little boy stood frozen at the opposite side of the clearing. Moments ago, cubes of hard sugar had rested on the dry palm of his right hand, a hand extended stiffly, like a roof shingle. Now his moist fist clasped the dissolving sugar, his legs braced to flee. His eyes were big, focused intensely on the fantastic creature. His heart thundered within his small chest, as if he were a caveman facing a Mastodon, the great Wooly Mammoth, for the first time.

The creature reared back on its haunches, its hooves pawing the heavens, threatening to attack. The little boy dropped the sugar and fled for his life, his legs scissoring, his feet flying across the deep grass in his new, PF Flyer tennis shoes. When he reached the dilapidated, wooden fence, he dove beneath its lowest slate, then rolled and scrambled to his feet, not looking back until he awoke in her ample bosoms. He had only been dreaming, and now he was safe.

She pulled the white, cotton bedspread snugly under his chin to comfort him, the bedspread years in the making while alone at night. Religiously, she had smoked and knitted, ashes and butts piled in a beaded, crystal ashtray resting on the King James Bible. Throughout, the television in the background, first black-and-white, then color, delivered death and joy -- John Kennedy shot, the first man to walk the moon. Her home, a two-story cottage abutting the steep, Dysard Hill woods of Ashland, Kentucky. She, Lucille, my grandmother; he, me, Davey, her grandson.

Always exuding warmth from her ample body, she had been telling me the horse story as long as memories existed in my ten-year old mind -- the same story she had told her own son, my father, John, when he was a little boy.

“Does he get the sugar, Gramma?” I asked with anticipation, though knowing the answer from countless prior tellings.

“Well,” she said, “let’s begin where you fell asleep last night... So, the next morning, the little boy returned to the clearing, this time venturing only as far as the fence, but Black was not there. With his left hand, he cleared the splinters from the top railing; with his right, he placed the sugar cubes on its smoothed surface, one by one, several inches apart – making it easier for his hopeful friend to see. Crouching down and hiding, he waited and waited for Black until he heard the clang-clang of the porch bell, summoning him home for mid-day supper.

“The boy started to remove the cubes, but on second thought, determined to leave them there in hopes that Black would return. Kicking the turf in frustration, stubbing his toe, a small pain and a grass stain on the tip of his white gym shoe, he drooped his shoulders and moped back home, saddened by the realization that he might never see Black again.

“The next morning, with great eagerness, he raced through the kitchen, grabbed more sugar from the bowl – he crunched one in his mouth for energy – then sprinted in his Flyers across the barnyard and through the field to the fence. He looked up and down its length and on the ground, but the lumps were gone. He, the Black Stallion, had been there.”

“Wow,” I exclaimed, my eyes bursting with excitement as I leaned up on my elbow and brushed back my floppy brown hair, Gramma soaking in my wondrous joy as her story unfolded.

“Stepping dangerously onto the top railing, the little boy leaned forward and peered into the distant woods. And there, behold, he was, the Black Stallion, standing at the edge of the clearing. For he, too, had seen the boy. Black shook his mighty head up and down, pawing and snorting and then, suddenly, broke across the field, tail lifted, mane flowing, first trotting then galloping full speed.

“Scared for his life, the little boy released the fence and, losing balance, toppled over the top railing and into the deep grass below. When he looked up, Black stood two feet away, his nostrils flaring from the end of his long, stretched neck, his ears flat then pointed then flat – angry, inquisitive, angry.”

“What happened? What happened!” I enjoined.

She, Gramma, in her pleasant but stern voice, a voice he *never* questioned, continued: “The little boy had decided earlier, as he ran to the fence, that today he would be brave. If Black came over, he would not run. So with all the courage he could muster, he reached into his pocket and pulled out three sugar cubes, extending his little hand, stiffly, like a shingle, just inches from the horse’s pink, snorting nose and glaring teeth.

“The horse shook his head and whinnied, his large, chocolate eyes with jet-black dots looking piercingly at the boy, studying him, deciding his fate. Then he turned his head ever so slightly, stretched it out, and nudged his nose affectionately into the little boy’s hand. He wiggled his muzzle, his lips gumming the square sugar, his long sticky tongue lapping up the sweetness from the boy’s hand. Then his yellow-white teeth crunched the cubes, like he, the little boy, had crunched one earlier.”

I burst out clapping and hooting, a huge smile on my face, my favorite story of all time, always sounding like I’d never heard it before, despite it beginning and ending the same every time. So immersed was I in the moment of the story that the nausea in my stomach seemed more like a distant thought than a painful, biological reality.

“And from that day forward, the little boy and the horse became best of friends,” she continued. “He would bring sugar cubes every day and Black would eat them and play in the field... and one day, one day! the little boy grabbed Black’s long mane and swung onto his back, his hands gripping for dear life, and he rode him, bareback.”

My euphoria ended abruptly from a sharp pain piercing my stomach, like a knife entering my ribs beneath my heart. It was so severe I squirmed and twisted my torso and held my breath then exhaled out my nose, gasping, whereupon the pain dissolved like the wet sugar and my breathing returned. “Again?” Gramma implored as I jumped out of bed and ran into the adjoining bathroom, where I wretched into the toilet, mostly dry wretch, my perspiring hands clinching tightly on the sides of the circular lid as my flush, perspiring face convulsed into the ammonia-fumed bowl. “Oh, Davey, I thought you were over that flu last week.” “Me, too, Grandma,” I choked, drool stretching from my lips; then I flushed the chrome handle and wiped my face.

## Chapter 2

The fuzzy acrylic window of the KC-135 Stratotanker was the primary window into my new world as we flew at 10,000 feet over the Caribbean toward an island whose name I could not yet pronounce. “Prayer Rigo,” “Purter Reco,” “Pudda Reeko,” I kept enunciating to myself, trying to get it right, as I looked down to an unending shroud of clumpy clouds then back to a large picture book that lay propped up on my lap, resting against my open tray. In the book, highlights of Puerto Rico, one main island but technically four, a tropical paradise full of exotic and exciting things – rain forests, tree frogs, exotic lizards, wide-leaved banana trees, mango groves and endless fields of sugarcane growing alongside coffee plantations... and of course hundreds of Paso Fino horses dotting the countryside.

Outside my window, a flared airplane wing sixth the length of a football field stretched into the sky, its edge cutting the thin air like a hot knife on butter. Red lights blinked on the wing at exact intervals as the silver turbojets streamed white heat, jetting us five-hundred miles per hour across the white-frosted purple icing that was the Caribbean Ocean, not visible out the window now but shown in the book, delivering us toward Ramey Air Force Base, Puerto Rico, our re-assignment.

Collected on my lap with the picture book, a loose pile of bubblegum cards, Beatles and Major League Baseball, Babe Ruth, Mickey Mantle, Roger Maris, Elston Howard, Joe DiMaggio, mostly Yankees but not only, Hank Aaron, Ty Cobb, Roberto Clemente, who was Puerto Rican, all the greats loved by a boy growing up in ‘60s America; a green, yellow and orange 64 Box of colored Crayola Crayons, the lid flipping up like a hard pack of cigarettes, resting sideways on a new horse coloring book; a Fantastic Four comic book, the giant issue with the Silver Surfer gilding its cover. Next to me, my mom, Mary. “Kids at Ramey will be different from kids at Maxwell, Davey,” she

warned. "Your father says they play lots of marbles and tops." Maxwell, from whence we came, was an Air Force Base devoted to Air Education and Command for career Air Force officers like dad, located of all places in Montgomery, Alabama, the heart of the civil rights movement. There I'd become proficient in baseball, passing endless hours throwing a tennis ball against a cloistered cement block wall rising seven feet from a cement pad that constituted our back porch. I had seen and played some marbles, of course, but did not know what tops were, so I had simply replied, "Can we get some at the BX as soon as we land?" and she had said yes.

She had crazy hair, mom -- brown, soft, and fluffy, falling down her back in the morning as she smoked, sitting on the toilet seat when I walked in, the nauseous blend of Winston cigarette smoke and fresh feces backing me around the corner until she flushed. Afterward as I watched from my spot on the floor, she would stand before the plain, two-foot high mirror fixed to the wall above the porcelain sink, and there she would jerk her bristled tease brush up and down and up and down her hair, for what seemed forever. For the grand finale, she would twist and pile all of it up into a huge bun on top her head and shellack it with blasts of Aqua Net aerosol until I choked from the acrid smell of the super-sticky spray that made her look, well, like Wilma Flintstone.

A Beehive, one of my school friends once called it, making fun of the bun, ratting on his mother who had gossiped it to other officers' wives in their kitchen when mom wasn't there, prompting us to laugh and make buzzing sounds and chase and pinch each other like we imagined bees would do. Later I learned or read or someone told me, I don't remember which, that a Beehive was also called a B-52, due to its similar look to the nose of the B-52 airplane. When I heard that, my eyes lit up as I knew immediately why she spun her hair into such a bizarre concoction. My dad, a Captain in the Air Force, Captain John David Eglestone, was a B-52 pilot who first trained at the Air Force Academy on F-100 Fighters that flew faster than the speed of sound.

Earlier in the flight, after I had upchucked into the puke bag, my dad had promised me in condolence the greatest gift of all, "once we get settled." Not marbles or tops but a horse, a real, live, breathing flesh-and-blood horse of my own. I flipped the pages of the picture book back to the section on the Puerto Rican Paso Fino. "Pasa," "Pauzo," "Puzo Feeno," it didn't stick in my mind, as I had never verbalized it correctly, but the pictures, they said it all. A beautiful, magnificent animal, like big Black, a special breed of island horse brought over by great adventurers from Spain, with pointed ears, arched neck, mane and tail flowing, legs churning, knees lifted high, gaiting

smoothly, shiny, sleek, the perfect specimen. And my dad, so tall, strong, jet black hair, blue eyes, broad shoulders, so upright, a real man with hairy arms, strapping flight boots, a pilot, a hero, he, my dad, had promised me my own Paso Fino horse, “once we get settled.”

The plane penetrated the high cloud layer as it descended and banked sharply left, taking aim for a gray stripe that ran like thick ribbon past a cluster of tiny buildings rising from the easterly edge of the chocolate chip main island. “We’re here, mom,” I exclaimed, but as we dropped, my nausea rose into my throat. “Mom, I’m gonna throw up--” then it passed. “Never mind.” Leaning back toward the window, the colorful panorama of our destination engulfed me, the tropical island with palm trees, jutting cliffs and white beaches coming sharply into view, right out of the picture book.

After what seemed forever the gigantic plane’s wheels pounded down onto the Air Force Base runway, like a small city landing on rolling rubber, like the Silver Surfer smashing from the heavens onto the turgid ocean with his magical silver surfboard. “We’re almost there, son,” my dad confirmed, observing my hands gripped tightly on my arm rests, a hint of excitement in his deep voice, a Kentucky boy who first played basketball at the University of Florida, then jumped at the opportunity to join the Air Force Academy as a pilot, to be a rock star, enrolling in the first F-100 Fighter Class ever, then becoming a B-52 Stratofortress pilot who could, if ordered, carry nuclear bombs, also called nuclear pay loads. My mom, his B-52 wife with B-52 hair.

### Chapter 3

My feet dangled from the side of an examination gurney positioned against the wall of a small, brightly-lit hospital room with glossy, pea-green walls. I adjusted my buttocks on the slick paper, thinking, *I’m not scared*, despite the anxiety slowly mushrooming within me. My mom, attired in a long, pleated, pastel skirt and loose white blouse, clicked open her purse and tapped out a cigarette from the box, put it between her lips, then looked around before returning it to the box and returning the box to her purse. My dad sat on an armless chair, dressed in his duty officer’s Air Force blue uniform, his black-visored dark blue hat fidgeting in his hands as he leaned forward elbows on his knees, looking pensively at the linoleum floor.

The door pushed open and in walked the doctor, a slim, butter-haired young man dressed in wall-color green hospital garb and studying a clipboard, right out of the popular television show, *Dr. Kildare*. He looked up at me, his kind, piercing eyes locking on mine, “Hi, I’m Dr. Kinder.” My

mom blushed. "Take your shirt and pants off young man, and let's have a look at you," to which I complied. After a few stethoscope taps, a feel of my groin, stomach and throat, and a blood pressure cup, he turned to dad, then suddenly realized he hadn't saluted him upon entering, quickly doing so. "A small fever, sensitive to touch on his lymphnodes (pointing to my slightly swollen neck), blood pressure's a tad elevated, and--" the doctor started to say, then stopped and turned, ushering all three outside the room, leaving me alone inside and pulling the door firmly shut behind them.

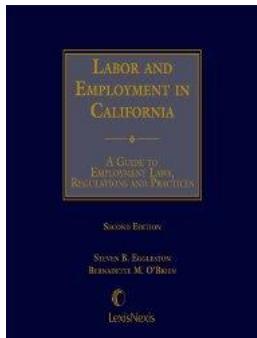
From outside I heard the murmur of voices, so I quickly jumped off the gurney in my underwear and leaned my ear against the door. "Can you repeat that more slowly, please?" mom said, the strain of worry in her words. "Yes, chron-ic lymph-o-cytic leu-kemia. In other words, as we suspected, a form of childhood leukemia." "Are you sure, doctor?" my mom's voice rising in octave. "Yes, the blood tests are certain." "Oh, my God," then the sound of mom crying. The doctor quickly continued: "In the '50s, seventy-five percent of all children with leukemia died, but today, treatment protocols are much improved; with radiation, chemo, the whole gamut, results are much more promising." "What--" my dad started, then continued, "Should we tell him?" "No, I mean, it's your choice, but the preferred protocol is not to tell a young child; better not to scare him; we need him positive, upbeat, to fight this thing."

When the doorknob jiggled, I leaped back and jammed my hand into my shirt sleeve hole, pretending I'd just gotten up to put clothes back on. "Okay, Davey," the doctor began as if by routine, "you've got a little something going on, so we'll have to bring you back for some tests. Nothing to worry about. Then in several months, we may have you in for a treatment. Short and sweet," he added, chuckling, as he ripped off a paper from a pad and extended it to mom. "Here, Mrs. Eglestone, give this to the pharmacy, for the fever and nausea... two a day with meals."

Walking down the hospital hallway a few moments later I tried to remember what it was that the doctor said I had, my dad's reassuring hand resting on my shoulder, making me feel better. "Dad?" "Yes, son." "What was it..." then changing my mind, "Dad, when do you think I can get my horse?" His hand tightened on my shoulder as we approached the exit and slowed, waiting for the automatic doors to spread open. "As soon as we get settled in, I'll start looking, son. How's that?" "That's great, dad," and before you knew it, I'd forgotten the whole affair.

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## **NON-FICTION**



Steve's non-fiction book, "Labor & Employment in California," published by Lexis Nexis for 20+ years and updated annually, is available online via Amazon. This is a popular legal practice book summarizing all of federal and California labor and employment law. It has been updated annually for 20+ years and is also available on ebook.

**The End**