

From *The Dead One Complicates* by Don Thompson

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1 THE SAINT SCREAMS

Fenton, Pettigrew and Cohenstein is one of the most prestigious and superior law firms in the country, and most certainly the best in Chicago, at least in its partners' estimation. The old line snobs of lineage and heritage are found therein as well as the new millennial snobs of supposedly superior ability and performance. If God has lawyers here on earth they are to be found in good old F, P & C, despite the fact that some know it as Fart, Pee and Crap. The firm is headed by Graybourne St. Charles, its Chairman. His intimates call him Graybee. His partners call him Grabby. He is a proper snob and proud of it. Of old line waspy and anti-Semitic heritage, he knows of no equals. He did realize, however, that his firm was not doing so well and could benefit by merging with a rapidly expanding firm headed by Zenon Cohenstein whose heritage does not even register on the social scale.

The firm has about 450 lawyers all told in offices across the world and occupies floors 40 through 55 in the One Swifton Plaza building in the heart of downtown Chicago. This 85 story building is named after The Swifton Bank which is located there, along with the Swifton Corporation, a major conglomerate involved in a variety of businesses. The Swifton family controls them all. It is headed by Arthur Swifton, known to his intimates as Arty or Swifty. Graybee is his lawyer and the outside counsel for all the Swifton interests. Birds of a feather flock together which is why Swifty has offices near the top of the building with the pigeons and why Graybee's firm has its offices in the building.

The Bank is one of the largest in the world. F, P & C gets a huge amount of business from The Bank and other Swifton interests. In particular, the firm has been defending The Bank against a lot of regulatory and investor claims against it arising out of the unfortunate financial events of 2007 through 2009, all of which claims are baseless.

The main entrance to F, P & C for visitors is on 40. There is a vast waiting area and lounge there filled with eminently expensive art works and books, pamphlets and magazines describing them and extolling their excellence and cost. This area extends up for three more floors and is very impressive. It is surrounded by balconies for walkways around it and there is a grand staircase serving all the floors. All the outer areas on those floors have conference rooms surrounding the atrium. The conference rooms are on the exterior of the building and have impressive views and furnishings and their own art works.

The firm has a pair of internal elevators serving its floors only. They are reserved for equity partners and their clients and guests. They have seats, plush red carpeting and brass fittings. Each floor of the firm is also served by the building elevators. Equity partners own the firm. There are other lawyers called partners, but they merely are compensated with a percentage of the profits. They do not have voting interests, they do not own any of the firm assets, and they do not set their own compensation. They are called partners mainly to impress clients. In other businesses such people are said to be working on a commission basis. The only difference is that these lawyers get a percentage of firm profits, while people working on commission usually get a percentage of what they bring in. This arrangement lets people call themselves partner and lets the firm avoid paying them if the money stops coming in. If a lawyer actually begins to bring in a lot of business then he or she winds up as an equity partner.

On 44 are found the business offices of the firm. This floor is occupied by accounting, billing, record keeping, copying, printing, IT, personnel, marketing and other non-lawyer departments doing support work for the lawyers. There is a Business Manager there named Geeley McDade to supervise it all. And there is one lawyer. That one is BUMPER LOHMAN who is the Managing Partner. He is the world's biggest nobody. Due to this and his location, most of the more prominent partners in the firm are not aware of him, until something needs fixing, even though he is a high billing equity partner and a member of the Management Committee.

In recent years there have been some unfortunate incidents involving the firm which some have termed murders. St. Charles prefers to ignore them. Cohenstein refers to them as publicity. For my part, dear reader, I lack sufficient information to categorize them, but I have related what is known about these events in my prior erudite tomes and you can read about them there. Anyway, let me tell you what happened this time.

On Monday, August 11, 2014, a little after 2 in the afternoon, St. Charles had just entered the firm offices on 40 and had gone over to the private elevators. One was out of service so he was waiting for the other, or at least so he told those looking into the matter later. The next thing anybody knew, St. Charles was screaming his head off and rapidly moving around the area in front of the open elevator door holding his hands out in front of him with what looked like blood on them. Other people on 40 heard this commotion and approached. There was a body in the elevator and the top hatch of the elevator was missing. St. Charles told those present in anguished terms that when the elevator door opened he saw the body and knelt down to see what was the matter. He touched it and found it had blood on it and appeared to be dead. No one else was in the elevator, or so he said.

He appealed to those present. "What shall we do? Oh, what shall we do?"

The receptionist, Tamara Pine, had a little more brains, even though she was usually referred to as TP within the firm. She called Lohman. He was in. She told him what was going on and he had even a little more brains than her. He called 911 for an ambulance. The ambulance came. The attendants examined the body and the police were called. In the meantime visitors to the firm, who were supposed to be impressed by the glorious art collection and waiting area, were indeed very impressed, but not by those things.

2 THE VICTIM

The body belonged, that is it once belonged, to Jeffrey Alden. He and his family empire were large clients of the firm. The family fortune was referred to as the Alden Diamond Fortune. It began when Abe Alden, an immigrant from one of those Eastern European countries no one can keep track of, found a large diamond in Nevada in the 1850s. It wasn't the biggest diamond ever found, but it was big enough to furnish him with funds to buy into one of the construction companies building the trans-continental railroad. In funding his investment he had the help of some of the Wall Street boys from the East. Basically they sold interests in the railroad to investors and then had their own companies, like construction companies, bleed the railroad dry. Alden was their front man so they could hide their participation in draining the investor money from the railroad.

Alden progressed into other constructions companies and then other areas and finally he had a large business group which included construction, metal fabrication and real estate. The empire grew over the years to include a lot of office buildings, apartment buildings and shopping centers. There was a lot of buying and selling of the various properties and constant activity in getting investors involved to help finance the deals. The Alden companies did a lot of "development" work and construction on the projects, just like Abe did with the trans-continental railroad. However, these days bleeding the investors dry through another company supplying the investors' company is supposedly not allowed. You have to resort to a lot of tricks and use high priced lawyers like those found at F, P & C to do it.

Jeffrey eventually became head of the whole shebang, called the Alden Group. He added consulting businesses, temporary services businesses, casinos, franchise companies, and foreign banks and trust companies.

Jeffrey was a high society type. His lawyer at F, P & C was also a high society type. Gloria Spiegel was her name. She was also known as Glorious Gloria. She had an equally distinguished background and came from another prominent family from which she supposedly inherited a lot of money. She was a snob and loved her supposedly superior status. She was gorgeous and, while she was only 40, she was already an equity partner in the firm, mainly due to the large fees she was bringing in from the Alden Group. She was getting about \$750,000 per year out of the firm and the amount was rising each year along with her billings. She lived like royalty and dressed like Dior's fondest wishes. She lived far above \$750,000 a year, but then she had inherited all that money. St. Charles loved her. Cohenstein liked her billings. Jeffrey had liked her bod. Regularly.

In the old way, law firm lawyers responsible for a business client dealt directly with the owner, chairman of the board, president or whoever controlled the business. In modern times most large businesses have their own staff of lawyers called house counsel. The house counsel legal departments are headed by lawyers, usually Vice Presidents or persons with equivalent titles, who are the ones responsible for hiring outside lawyers when needed. This means the outside lawyers try to exert their sales pitches on the head in-house counsel. Since one part of the in-house counsel's job is to hire the most able and reasonably priced lawyers for each job to be handled by the outside lawyers this makes it harder for the outside lawyers to permanently tie up the business from that client. The Alden Group was handled the old way. Spiegel dealt with Alden. Spiegel got all the outside business.

5 THE WEINER AND THE BOTTOM FEATHERS

Lohman went back into his office and before he could sit down Tete rang him and told him that Moira Weiner was in the outer office and wanted to see him. Moira was one of the partners who was always complaining about something. Her nickname in the firm was The Weiner. Lohman cringed, but went out to get her and take her into his office. He greeted her, but she cut him off as he was leading her into his office.

“How can you let this happen? Over and over again! Murder, death, bodies all over,” she was exclaiming. “Then there is the gossip, the gossip within the firm. Horrid, divisive gossip! You know that snip of an associate who is always up on 48 in her office with the door open so we can all see. Did you see her outfit last week? Thursday I think it was. She was sitting in there screaming on her phone in that millennial accent of hers. Pink and green! I don’t care how much it cost. Think of what a client who might walk by might think. Well, I tell you! Today I heard her talking loudly on her phone to someone, I don’t know who, and she was telling this person that she just heard we had another murder in the firm. How can you let this go on Bumper? You are supposed to be on top of things here. We can’t have all these murders! We can’t have gossip. It isn’t proper. And her outfit today! Worse than last week. And she wears her makeup like a circus clown!”

Lohman said, “Now, now Moira. I’m going to fix everything here. We’re already working on it. Pretty soon there won’t be anything for you to complain about.”

“What!” she exclaimed.

“Nothing. Nothing to complain about,” said Lohman.

“You can’t do that!” she retorted.

“Why not?” he asked.

“Nothing is perfect,” she said. “I will always find faults – something that needs improvement and attention. That is how the firm improves. That is my forte.”

“Ah yes,” answered Lohman, “I should know better. I realize you are just trying to improve the firm, but sometimes it does seem that you just like complaining.”

“What!” she shrieked. “How can you say that? These matters are terrible!”

“Well,” Lohman said, “you do it so much I thought you liked it. I can see now how much you are contributing to our progress.”

“Thank you,” she said with a mollified tone. “I also want to tell you what I saw earlier today. About 1:30 I was due at a meeting on 43. Gloria was there waiting for the elevator. Dewey Feingold, the investment banker, was there too. The doors opened and Mr. Alden was in it. I saw him as I went by and I said hello to all of them. Gloria got in with him. As the doors were closing he was telling her he had gone up instead of down. Since he was found dead later I thought I should report this.”

“Thank you Moira,” said Lohman. “I see there is more gossip going around about this and you, in the performance of your duties, are listening to it. I’ll add this in with all our other information.”

“It’s so disgraceful,” said Weiner, “but I do have to listen to it to see what is going on.”

Lohman thanked her again and then told her he had to attend to a lot of other things and begged forgiveness when he suggested she should get on to some things she had to work on too. Eventually she left and Lohman got back to figuring out what his schedule for the next few days was like and what he had to call off or postpone or reschedule.

Soon Tete rang him again and said, “Sean’s here. He wants to see you.”

“Featherbottom?” asked Lohman.

“Yes, Hon,” said Tete. “Remember you had me tell him to come and see you about that deal with GE you’re working on.”

Lohman was in the middle of a stack of papers so he told her to send him in. Sean came in and sat down on the other side of the desk. He had a briefcase full of papers with him and opened it up and put in on the desk by him. He took out a laptop and set it up on the desk in front of himself. He and Lohman talked for a while about what Lohman had wanted him to find out and when Lohman had found out the main points he told Sean they would go over the details later when he had the time. The deal was still in its early stages so Lohman didn’t want to spend more of his time on the matter right then when he had other things to do. He told Sean that he wanted to reschedule because they had another death and he had to work on what to do about it.

Before he could say much about it Sean said, “Yes, I heard about it. I heard it was Mr. Alden. I had worked on some of his matters. I wanted to talk to you about what I saw today.”

“What?” asked Lohman.

Sean touched his hand to his blonde head and gave a little wiggle in his chair. "Well, I was working on something for Ms. Weiner." At this stage Sean made a little lawyer joke. "And it wasn't a complaint – for court or otherwise." He wiggled a little. Lohman smiled. "I had to deliver some certificates to her conference room by 2. Then I had to deliver a memo to Ms. Spiegel on 43 too. They were both on 43. So I went down on the building elevators and when I got to 43 I got off and I was there going by the firm elevators. It was a little before 2. Ms. Spiegel and Mr. Alden were waiting for the elevators. Mr. Feingold was with them too. We said hello."

Mr. Feingold was Dewey Feingold, a prominent investment banker, which is a name people who arrange deals and the financing for them use. "Deals" is a term referring to the buying and selling of companies or parts of them or any big transaction involving a lot of money. He was married to Lotus Feingold, one of the biggest personal injury lawyers in town. She was known as the Vile Bitch From Hades behind her back by other lawyers, but to her face she was fawned over and catered to in accordance with the estimation by the caterers of her wealth.

Sean continued. "When the elevator came, Mr. Alden and Mr. Feingold got on. I saw Mr. Feingold reaching for the floor buttons and then he put his hand up to block the doors and came back out. I heard him say, 'I forgot something'. Then the doors closed. Ms. Spiegel was telling Mr. Alden goodbye. I went on down the hall." As Featherbottom was telling Lohman this he had reached in his brief case and taken out a little glass like thing which he was rolling around in his hands.

"What's that?" asked Lohman.

"Haven't you noticed this on Mr. Alden?" said Sean. "It's the diamond from his lapel pin. It's very distinctive. I found it on the floor down there when I was going back to the elevators. At first I really didn't recognize it, but then I realized it was his. It's sooo nice. Perfectly correct for his lapel. Perfect color. Perfect cut. See." Sean held it out for Lohman to see.

Lohman looked down at it and then back at Sean. "I never noticed," he said. "I'm not into that sort of thing like you are."

"Oh, I love all the jewelry and things our rich clients have," said Sean. "Haven't you heard about this? It's a famous piece. It once belonged to the Countess of Abercrombie. It was missing for years and no one knew what happened to it. People thought it was lost or stolen. Eventually it found its way to auction and Ms. Spiegel bought it. It got a lot of publicity."

"I never heard it," said Lohman.

“Well, it did,” said Sean. “At least in the art and jewelry world. It’s a perfect stone. She bought it for \$200,000 and then gave it to him. I suppose she was doing – I hate to say it in a law firm - sales work.”

And indeed he should have hesitated to say such a thing. Lawyers do not do “sales” or “selling”. At least not of their services. These are dirty words in legal circles. They do “marketing”.

Sean continued. “But then he got a setting for it that is quite out of keeping with the quality of the stone. It’s like putting a \$200,000 stone in a \$2 setting. You’ve seen it. The diamond was on top and the pin was about an inch wide there and then it tapered down about 6 inches to a point at the bottom. As you know, he was not very artistically inclined. I found the stone after I had returned from the conference rooms and had gone by the elevators. So here it is.” He handed it to Lohman. “Anyway, you know it’s called the Trust Diamond don’t you? Its fame is due to its cut and brilliance, not its size.”

Lohman knew Sean was interested in these things so he took all this in stride. “Was Alden wearing the fitting or whatever you call it? Setting? The thing that held the diamond. Did you notice?”

“No,” said Sean. “While all this was going in I was looking to see Ms. Spiegel’s purse pin. You know that magnificent piece she has on her purse. I wonder where she got it. I’m sure it’s not costume. I couldn’t see it because the purse was on her other side. I was thinking about that so I wasn’t even really looking at Mr. Alden’s lapel pin. I didn’t see if the stone was gone. I didn’t even see if he had the pin on. I just saw something on the floor later and picked it up. I wonder how it got loose.”

Since Sean was interested in such things, Lohman thought he would ask him about Alden’s pen. One of the most characteristic things about Alden was the flashy pen he had clipped to his jacket chest pocket. “Did you see his pen? Did he have it?”

“Oh his pen!” exclaimed Sean. “It was sooo noticeable in his chest pocket. Sooo correct.” He went on a bit more about it.

When he calmed down Lohman asked, “Did he have it with him?”

Sean thought for a bit and said, “I can’t remember. I don’t think I noticed. After all, this all happened in a short span of time and besides, I don’t think they like me much. I just try and mind my own business around them. I just delivered the certificates to Ms. Weiner and then went to Ms. Spiegel’s conference room. I was there a while and then I went back to my office.”

Lohman asked, “So that’s when you found the stone, when you were going back?”

“Yes,” said Sean.

“So, let’s see,” said Lohman. “You went from the conference room down the hall by a few of the other conference rooms. Then the women’s room. Then the elevators. Is that where you found it?”

“Over in front of the men’s room on the other side of the elevators,” said Sean.

“So,” said Lohman, “the stone was on the floor between the men’s room and the elevator.”

“Yes,” said Sean.

Lohman abruptly changed the subject. “Were you aware that I was told Alden wanted you fired?” he asked.

Sean rolled his eyes up and around as he pursed his lips in and out and wiggled a little in his chair. He waived one hand up and to the side as he began to speak. “Well, you never told me that, but remember you did tell me they said I was doing something wrong. But remember you asked me about it and you sent other people to ask me about it and then you told me it was all a mistake and not to worry about it?”

Lohman responded, “Well he did want you fired. And Gloria was the one who told me. So I looked into it, but mainly as I remember it, they didn’t seem to have a very strong case to begin with. I seem to remember Jeffrey thought you were involved in front running him on a deal. I can’t remember the details.”

“Sort of,” said Sean. “I was working on a deal that involved real estate. Other things were involved too but part of the purchase was that one of Mr. Alden’s companies was going to buy a business owned by another company and some real estate owned by a sub of the company being acquired. One of my jobs was to do due diligence on the real estate – you know, to confirm that the outfit selling it owned it and to see what claims it was subject to. I found the real estate was supposedly owned by a sub of the company Mr. Alden was buying the business from. The real estate was also included in the financial statements of the company selling the business. The financial statements contained a footnote explicitly saying the real estate was included in the assets. However, what I could find out was that the real estate was actually owned by a land trust and I had not had time to check out ownership of the land trust by getting documents from the seller who must have been the beneficiary of the land trust if they owned it. I also could not find out who owned the sub. Supposedly the selling company owned it just like it owned the business line it was selling. For the record the sub was owned by a trust company in the Wook Islands, but I hadn’t gotten the documentation to prove that nor did I know anything about who the trust company was holding it for. So, in effect, I couldn’t

determine the actual owners of anything. All I could find were trustees holding title. And they weren't going to say who they were holding it for."

Sean continued, "I wasn't going to be able to conclude who owned everything by the closing date. I had asked the seller for documentation, but they were dragging their heels. So I went to Ms. Spiegel and told her I needed more time to find out if the purported seller really could deliver title and ownership of the assets. She just, well, she got angry. She told me there was no time and that the deal had to close right away. I don't know what happened after that because she didn't want me at the closing. I heard later that the sub that was supposed to own the real estate didn't own it and that Alden had to pay more for it later. As you remember they claimed I should have caught it and told them."

"Yes, now it's coming back to me," said Lohman.

"It's all so complicated," said Sean. "Everything about that Alden Group is complicated. And everything is secret. You have to talk to Ms. Spiegel or you had to talk to Mr. Alden personally to get anything done or to get any questions answered. None of the company lawyers or accountants would tell me anything or give me any documents without specific direction from them. And that was for each request. It was all very complicated and slow."

"What was the complication?" asked Lohman.

"For one thing," said Sean, "a lot of companies. Separate companies for everything, even to hold assets used by other companies. And not just to hold the real estate. Sometimes receivables, you know, what the customers owe, were even held by other companies. Anything and everything might be farmed out to separate companies. And there were different types of entities for everything. Corporations, LLCs, partnerships, trusts. Every type of entity you ever heard of. And you can't independently discover the ownership of many of the entities because they all go to things like trust companies in the Cook Islands. In that place you can't get a court order to show who they are holding the entities for. The only way you can get the documentation is if the true owner tells the trust company to release it. But you can't find out who the true owner is so you can't ask him or her for the documentation."

Sean continued. "And all these companies and entities deal with each other. And there are a lot of privately held companies involved where you can't easily find out who controls them. Some are public companies with a lot of stockholders. Some are privately held with few owners and no outside investors. Most are somehow controlled by the Alden Group. Sometimes the Alden Group has no ownership at all, but it controls the other companies with contract rights or bargaining power. For instance, if Alden is the sole supplier or the biggest customer, it can control the other company. There are a whole lot of different auditors involved. For the big public companies they have big name auditors, but for most of the others they have small firms

who nobody ever heard of. I don't know the full extent of it, but Ms. Spiegel says they do all this because of different groups of owners and combinations of investors and the consequent different tax objectives and for liability protection from creditors. I've done a lot of work for her on the Alden Group, but I still have no idea what is involved."

Lohman said, "All big companies have structures like that. Lots of different companies."

"I know," said Sean. "I've been working in corporate long enough to see all that. But I never saw something like the Alden Group."

"Right," said Lohman. "It's all very confusing. That's the point. If even lawyers for the Alden Group can't tell what is going on and what the legal structure is, how is anyone else going to know? I think our clients sometimes bamboozle themselves. Someday maybe it will get to the point where the richest guy in the world can't prove that he owns anything."

"I think it has already," said Sean. "Anyway, Mr. Alden thought he bought something and he didn't get it. Someone else had bought the real estate first and he had to buy it from them for a higher price. He thought someone had advance knowledge of what he wanted to do and then bought the real estate to resell to him at a higher price. I guess they thought I was in on it since I had the inside information."

Lohman thought for a moment. Then he said, "Well Sean, here we go again. You were there, you got an item off him, and you had the motive. Christ! You know, some people think you actually killed all those people."

Sean dropped his jaw and gave Lohman a wide-eyed fixed stare.

"But I don't," said Lohman.

Sean needed some nudging to come out of his shock, but he soon left after Lohman calmed him down.

Lohman had other things to get on to which he did.