



2010 SHORT STORY FICTION WRITING CONTEST



The Move To the New Office

BY Frank J. Gonynor



Friday afternoon in June — time for the big move.

After five years of working at the Firm, I had finally been given what was the grand status symbol in the age of the open office plan — a private office. Due to digital document management, email, voicemail, electronic filing of pleadings, SMS, and the Internet, and the Firm policy on allowing only minimal personal “knick knacks” on the desks in the open floor, I walked toward my new office carrying a small cardboard box full of pens, a few photos, and my college mascot coffee mug.

The nameplate on the door had not yet been changed, and indicated the soon-to-be former occupant, Blakely Quinn, a mystery and a legend around the Firm. The last of the Firm’s founding partners still alive, the rumor was he was abruptly shuffled off to his modest office in the early ’90s — some say put “out to pasture” when his “old school” methods collided with the “modern approach” to the legal practice. In my years at the Firm, we had never even been introduced. I had only seen him in passing a few times, in the elevator or walking through the reception area — not a word uttered to the other.

I opened the heavy wooden door to the office and stepped in onto a thick carpeted floor and was immediately struck by the dim but warm light from two green-shaded bank lamps perched atop each corner of a large mahogany desk, the smell of cigar (and maybe bourbon), the hushed quiet punctuated only by the slow ticking of an antique pendulum wall clock, and then there was the man himself, kicked backed in his large leather swivel chair, feet clad in black leather Luccheses that were resting on the corner of the desk. He was staring back at me from partial shadow, with steel blue eyes peering through steel rim glasses, framed by a sunburned face and silver, slicked-back hair.

“Well, son, I guess you’ve come here for my eviction?” he said, through a slight, thin-lipped smirk.

“Oh, no, sir,” I stammered clumsily, not really knowing how to respond. “I thought we’re just switching offices,” I said, trying to salvage the moment.

Mr. Quinn swung his feet off the desk, sat upright with a slight squeak of the high-backed chair, and leaned forward, never averting his gaze from me. “Well, I guess we’d better get to it,” he said. “And, for your information, I am not moving to ‘another office.’ They’re finally pushing me out that door — without even the courtesy to say, face-to-face, ‘Goodbye’ or ‘Good riddance!’” He chuckled and slowly turned and opened up a small wooden box on his desk — a little humidior, it turned out. He took a moment, selected a particular cigar, removed it, rolled it in his fingers, cut the end, and then, igniting a long match with a strike on the heel of his boot, lit it up. A beautiful little ritual, really, and the bluish smoke smelled spicy and pleasant as it rose in a single tendril up to the ceiling.

Mr. Quinn turned back to me and asked, “Sorry, son, would you care for one?” proffering the wooden box toward me.

“No, sir. I don’t smoke cigars, or anything really. But that smells very nice,” I said, an awkward way to try to lighten the situation, I quickly realized.

“I sort of figured that,” he said with a small but more genuine smile. “This is a Cuban, Cohiba Lancero. A client in London still sends them to me every so often, a mutual reminder of a case we did for them a while back; pulled their behinds from out of a real mess on some toxic tort cases down in Ortega County.”

I certainly recalled hearing about that — a large series of cases Mr. Quinn singlehandedly had defended and made some law, too, including two appearances in the Texas Supreme Court. Apparently, that was the last major case he handled, a few years before the changing of the guard at the Firm, and his “exile” to the very office we’re sitting in together.

“I know about that case,” I said. “Everyone studied it in law school.”

Mr. Quinn wistfully replied, “Well, that’s mighty interesting. The Firm’s collective memory on that proved to be fairly short about that case. That’s lesson No. 1 for you, young friend — individuals may be counted on to remember your past deeds and even sometimes give you credit; big groups have much shorter institutional memories — you’ll find that out the hard way around here.”

Then I realized something further about the office — there was no computer, only a telephone. But along the walls were tall bookcases — full of books, binders, stacks of paper, mainly with brown and black bindings, punctuated with flashes of color — blue- and red- and orange-bound appellate briefs and stacks of fading yellow legal pads.

Mr. Quinn then asked, “What else have you learned around here? What sort of cases have you tried?”

“Well, Mr. Quinn, I have only been here for five years, so I haven’t tried any cases by myself. I have sat second chair at two trials, and third chair at four trials,” I replied.

“Really?” exclaimed Mr. Quinn, “By my five-year mark, I had tried maybe 25 cases? Little ones, of course, but you’ve got

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to start somewhere. But I guess these days, the management around here doesn't want to take any risk at all, despite the fact that none of you associate lawyers will develop into trial lawyer, until it's too damn late, when nobody around here will be able to properly take a case to trial!"

Mr. Quinn took a long draw on his cigar, and let the smoke slowly curl out of his pursed mouth. "I guess you've taken a few depositions, or not?" he asked.

"Oh, yes," I replied. "I am fairly experienced taking a doctor's depo, and in deposing experts and plaintiffs in personal injury cases. That's what I mostly do now. Plus, I handle discovery hearings and some summary judgment motions."

He leaned back again in his chair and asked, "What's the most important thing to know when taking someone's deposition?"

I replied, "Knowing the file inside and out; preparing question sets ahead of time; listening to the witness before asking the next question, making sure I've covered the points I needed before ending it."

Mr. Quinn again placed his boots crossed at the ankles on the corner of the desk, and with a slight nod said, "Sure, that's the standard stuff. But you're missing the most important thing — *knowing* your witness, his or her background, what makes them tick, what motivates them in their testimony, what influences their thinking. *Those* are the keys; the way to dig out some real and useful information to your case, not some scripted crap that their lawyer concocted."

I was ready with my response: "Oh, yes, sir. I check all witnesses out beforehand on the Internet, and their lawyers, too," thinking that might satisfy Mr. Quinn as to my skills as a litigator, but that was not to be the case.

"That's all fine, but that's not the critical information, because they know that's out there and that you probably nosed around and found it. Usually it's what they want the public to know."

Mr. Quinn continued: "The *real* information is what they *don't* want you to know, and, even better for you, the information they *don't even realize they are revealing*. That's why I almost always ask to schedule depositions at the office of the witness or of the other lawyer involved. When you drive to a deposition, look at the kinds of cars the lawyer and the witness parked there — that'll tell you a lot about what image they want to project and, likewise, you can deduce their character and their weaknesses. When you are in their offices, make sure to pay attention to the books on the bookshelf, the bric-a-brac displayed, paintings on the wall, the kind of furniture they have. Then, once you sit down to start the deposition, take a good, long look at the other lawyer and the witness — see how they're dressed and groomed, how they interact with each other, how they sit and listen to you. Those are the most important things to pick up, because they won't show on the cold transcript later."

Mr. Quinn took another puff on the cigar. "I don't know if the partners around here schooled you to do that — maybe they have — but I kind of doubt it. Always remember that it's people who are the actors in the lawsuit — the parties, the lawyers, the judge, the jury — and so it's developing skills at reading people, knowing their motives and goals and bending them to your client's advantage, that will make the difference from being just 'good' to being a 'damn good' lawyer. Not only in the courtroom, but in wooing and keeping clients, too."

He heaved his boots off the desk. "Well, I don't want to prolong this process too much, and I'm sure you've got some more billable hours to log. I hope you don't mind, but I will have someone come and take my things over the weekend; you can leave your box on your chair." He stood up, tall and lanky, and removed his khaki suit jacket from the coat tree in the corner. He reached across the desk, and shook my hand. "Best of luck, son. I hope it works out for you here. I enjoyed it, for a while at least." He then moved to the door.

"Mr. Quinn," I said, "Do you mind if I call you and ask you for, you know, some pointers or something, some time?"

"All right, but maybe it'd be better to arrange to meet for a drink, talk about things face-to-face. I don't really care for this email and Internet world of ours, as you may have gathered." He opened the door and walked out.

I called him a couple of times after that, when I got stuck in a case and needed some practical advice — but we never did get together for that drink. About a year later, I saw on the local morning news online that Mr. Quinn had died of cancer, with a memorial service three days later. I attended, and saw a few of the area's legal luminaries at the church. A few gave short eulogies, telling tales and anecdotes of the legal victories and defeats of Blakely Quinn, but also telling some surprising things about the man's humanity, his charity, his humor, his personality, and, just like he tried to teach me in his (now my) office that summer afternoon — those were the critical things, the important items, to know and to remember. In the end, he taught me that practicing law well was just really living your profession intensely — observing as much as you can, listening intently, taking the time to think deeply about the facts and the law in a case, and then simply acting on all of what you've learned in totality. He guided me to not only being a better attorney, but also actually *liking* the practice of law. That's what he gave me to carry forward — and also the appreciation of the smell of a fine cigar.



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practiced as a maritime lawyer in Houston for Eastham, Watson, Dale & Forney, L.L.P. He currently lives and works in Norway for Gard AS, a marine insurance company. He thanks his wife, Deborah, and his family for their support. The author owes everything to those lawyers in his professional past, who taught him what really matters most.