

LAWSUIT

Bill Carver

“So John, you’ve must have seen a lot of strange things during your practice.”

“Yes. I guess I have. But I wouldn’t trade those experiences and memories for anything. They give me so much to think about here in my garden as I whittle away my time in retirement.”

“Still verbose.”

“Sorry. Habit. My patients expected it. Although it was really my job to listen to them and not to talk. But yes I do miss them.”

“Any good stories you want to tell before the old ladies call us into dinner?”

“They’re confidential Rich.”

“Come on. No dead patients from years ago that you want to mention. Who’s going to know.”

“I do have a story. I can tell you because it didn’t happen in sessions, but outside in the real world. I still wonder if the two lawyers involved are still alive. I’m sure that they haven’t forgotten it.”

“No gruesome crime involved is there?”

“No. Not my patients. Just a story of a lawsuit and my patient.”

“Too bad. But tell me anyway.”

“Call me Jimmy if you would Mr. Spraing.”

“Of course Jimmy. What brings you to me?”

“Well sir. I need a lawyer to sue someone.”

“Okay. What is this suit about?”

“My friend Albert. Albert Democa. I want to sue him.”

“Jimmy, I understand that. What do you want to sue him about and how much?”

“The money is not important. I want to stop him.”

“Stop him from what?”

“Sorry. I’m upset and never mind. He’s written a book. I’ve read the first proof from the publisher and it’s about me.”

“He wrote your biography without your permission?”

“No. Al and I have known each other for ever. We did everything together. The good and bad. And people know that. So Al’s written a book about two kids growing up together. And of course, he’s used stuff from his own life. He’s also used stuff from my life, all the bad and embarrassing stuff. He’s out to make me a laughingstock.”

“Has he ever asked your permission to use these stories and incidents from your life?”

“No. Never. It was a complete surprise and shock to me when I read it. A

couple of small things I wouldn't have minded but chapter after chapter he uses me."

"He never brought this up or asked you to sign a release?"

"I said no."

"I have to ask."

"Sorry I'm upset."

"Of course. What kind of incidents?"

"Um."

"Jimmy, I'll have to read the book anyway."

"Okay. Things that happened to me like falling down a well shaft. Getting stuck in a drain pipe. Riding a policeman down with my bike. Throwing up on my prom date. Going through a job interview with my zipper open. Tripping into a wedding cake. Smashing up a car while sneezing. And other things."

"You seem a bit accident prone."

"It seems that way. But with my therapy it doesn't seem so bad now. But everyone growing up with us will be able to recognize me in his story. I'll be back to being made a laughingstock. Mr. Spraing, I've made a lot of progress overcoming these things that have happened to me. I don't want to go through this again."

"Did you talk to Albert about your concerns?"

"It's no use. He's always wanted to publish his great American novel and he feels that this is it. We may have been best friends for a long time, but he doesn't want to hear about it from me. He's always been so perfect. None of this stuff ever happened to him."

"So you want to sue him?"

"Anything to stop him. Defamation of character? Just stop him from publishing. I don't want this book published. I can't go through it."

"Let me look a little further into the law on this subject and I'll get back with you. Perhaps we can set up a meeting and resolve it quickly. It's a good thing that you read it before it was published."

"I suppose. Just help me stop him Mr. Spraing."

"Albert you need to relax."

"Look Charley, I have pills that I can use to relax. I don't need to pay you to tell me that. I want you to stop Jimmy and his lawsuit against me. This novel is the best thing I've done and I need to get it out there."

"Okay Albert. Is what he claimed against you true?"

"Hey. I have said that everything is made up in the book preface."

"Is that true?"

"Well I have to use some of my stuff in there. It's a small part autobiographical."

"Albert, did those things happen to Jimmy that happened to the Jamie character in your book?"

“Some of it is like what happened to him. In the book he has a coughing fit instead of a sneezing fit crashing the car. In the book he throws up on his junior prom date instead of his prom date. But I don’t see the problem. Those things happened and they form an important part of the storyline. I’m really not that interesting in myself, but the others around me are characters. I play off them.”

“But all these things happened to the one character named Jamie. And after reading the book, I find your writing about him hilarious.”

“Exactly. The world needs humor and I’m supplying it.”

“Exactly. You are doing it through your friend Jimmy. Can any knowledgeable reader deduce who you’re writing about?”

“I suppose. But it’s my story that I’m writing. Jamie’s just a character in a book.”

“Albert. I need to investigate this further. But suppose I set up a meeting with Jimmy and his lawyer to discuss this issue before we get too far into the lawsuit process?”

“You’ve never met Jimmy.”

“Not that I recall.”

“I suppose that we can meet with them. But I’m so mad at Jimmy.”

“I suggest you stay away from him for the time being. Let us all get together and hash it out.”

“Fine Charley.”

“John, a simple lawsuit story? Which was your patient?”

“Rich, nothing is simple with me.”

“Dr. Leath, I don’t understand why you’re here and meeting us before our clients are here?”

“Mr. Spraing and Mr. Grace, I need to talk with you both before you meet with your clients at this meeting.”

“Doctor, my client mentioned therapy, are you his therapist?”

“Yes Mr. Spraing I am. In fact, I really am the therapist for both sides of this lawsuit.”

“I didn’t know that Albert was under care.”

“Yes. He is. It’s really simple and complicated at the same time. Let me say I know what this lawsuit is about and it can’t go forward.”

“Doctor, with all respect, that’s for us and clients to decide and maybe ultimately a court to decide. I think that my client has a case and I will help him pursue it.”

“I agree with him Doctor. The mental states of our clients are not that important to this lawsuit. The actions and motives of our clients are what’s important. You can’t testify because of doctor/client confidentiality and we both can’t call you to talk about each of our clients or the other side. In fact, I can say that I never had this type of

experience in a case.”

“Me neither. I’ve had friends suing each other, but they’ve never had the same therapist.”

“Gentlemen, I’m sure that’s true. But there’s more than that.”

“Doctor, our clients are probably here by now and I don’t want them talking to each other there in the waiting area.”

“Same here. I want them to only meet with us.”

“Okay. Look at this photograph. Who is this?”

“My client.”

“No. It’s mine.”

“Huh?”

“Doctor, are they related. Are we dealing with twins?”

“They’re not related.”

“So Rich at that point there was a knock at the door. I got up and opened it”

“What happened? Both guys walked in then?”

“Their clients arrived but only one person came through the door.”

“You mean?”

“Yes. Albert Democa was the primary personality and Jimmy was his secondary personality. Albert always hid in the Jimmy personality whenever anything went wrong. So Albert was perfect and Jimmy was the screw-up. The lawsuit was dropped. I think that dinner’s ready.”

The End

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