

3 Grisham's Dream

Mo Boucher was a slight man with a paunch and a splotchy skull that couldn't even hold a comb-over. His eyes were sunken, two pale riders that had seen it all—or so he liked to believe—and lines that were so deeply etched around his face that it was impossible to imagine what he would have looked like as a child. In fact, of the multitude of pictures that swam in his office, only one alluded to a semblance of a Maurice Boucher 1.0 and that was the one sitting on his credenza behind his desk. It was yellowing and the two residents were wearing Class Midnights, the dress uniform of the Texas A&M University Corp of Cadets. The uniforms were distinctive, even for military garb: Dark olive blouse with khaki riding pants and rich leather riding boots, a campaign cover—which is what Smokey the Bear wears—and a saber hanging from the hip. Boucher was standing next to Whitte, though, as short as he was, he might have been sitting at a casual glance, both with crew cuts—you could see, even with the hat, that Boucher 1.0 did in fact have a full head of hair at some point in his life—and smiles that were not manufactured. It was graduation day. Three months after the picture had been taken, Whitte would be laid up in a hospital being watched over by an angel and Mo would still be backpacking his way through Europe.

Twenty-three years later they were now sitting in this high-powered office, each with a drink in hand. Boucher had a fat cigar in his mouth, feet sporting ostrich skin boots propped up on his desk and Whitte drew down on a cigarette. To see them now, it was apparent the two had traveled in complete opposite directions. Whitte's longish dark hair,

some might say foppish, tickled his ears and flowed backward to the base of his neck in one constant stream. His face was still smooth and he didn't look a day over 35. Boucher, obviously, hadn't been as lucky.

"It should be noted," Boucher said, a gray cloud escaping his mouth, "that in some circles, it is hard fact that Dick Spencer was gay."

"I think they used to use the term *confirmed bachelor* in polite circles."

"No one's that polite anymore."

Whitte shrugged. "Makes no difference. I could care less what a guy does in his bedroom." He stabbed out his cigarette and finished the remnants of the 12-year-old Dalmore with which Boucher had greeted him. "I guess what gets me is that at the end, he shacked up with a bimbo half his age. If he were gay, why would he do that? A deathbed conversion?"

"Ah, yes. The former voluptuous Janet Boudreax-Spencer-Richardson." Mo sighed. "Obviously big tits, one last hard-on, and a blood line."

Mo sat back and held a torch lighter to the dying ember on his cigar. "What about you? You going to wait till you've got one foot in the grave before tying the knot? Or are you a confirmed bachelor?" Mo accentuated the *confirmed bachelor* comment with a limp wrist.

"Fuck you, Mo." He motioned for a refill on his glass. Mo obliged. "Tell me what you found out."

Boucher sat up, bent his chin down emitting a loud crack from his upper spine, and cleared his throat. "My source tells me that it's fifty-fifty as far as filing a suit. They're going to request support documentation from Whitte Oil and Gas to prove that

you have been paying them the royalties as ascribed in the original contract. If you cannot provide that, they're going to file in hopes of a quick settlement.”

“What are they pushing for?”

“One point five billion.”

Whitte raised an eyebrow.

“What,” Mo exclaimed sarcastically, “you didn't bring your checkbook?”

Dick Spencer owned a twenty-five thousand acre ranch in the Permian Basin in west Texas, the smallest of his four. In 1958 he hired Robert Whitte away from the Humble Oil Company—precursor to Exxon—to help him develop petroleum reserves found on his ranch. The oilfield became known as Spencer Ranch and for three years, was the largest production field west of Austin. Spencer, as the story went, had no desire to own an oil company and in 1960, loaned his mineral rights to Robert as start-up capital in the formation of Whitte Oil & Gas. The term of the deal was five years. Spencer retained a 13.5 percent working interest, ceding 87.5 percent to Robert from where the proceeds would be used to grow the company. At the end of the five years, Spencer would then own 66.7 percent of Spencer Ranch to WO&G's 33.3. WO&G would operate the fields through the life of the reservoir and remit royalties on a quarterly basis.

Twenty years later, in 1985, this agreement matured and called for Spencer to convert his stake in Spencer Ranch to five percent of WO&G, either in preferred stock, if the company had gone public, or in partnership units if it remained private. This was done to extend value to the original capital investment because the life expectancy of the

reservoir under the Spencer Ranch was 20 years. Since all of the Whitte holdings were privately held, Spencer, as the suit would allege, held a five percent partnership in WO&G. Upon Spencer's death in 1990, the units in WO&G reverted to the Spencer Trust.

The Spencer Trust was monstrous. Speculation had its value anywhere between \$500 million to \$850 million. Heirs and beneficiaries to the Trust received quarterly divestiture payments. Again, based on speculation from outside observers, the majority of these payments went to various charities and political causes, while the remaining interest income was spilt among four heirs: Janet Spencer, his wife at the time of his death, their infant daughter, who wouldn't be directly paid until she turned 21, and Jane Reno, his only surviving sibling. At the time of any change in the status of the three heirs, Munson Burkil, a boutique law firm specializing in administering to the very elite of clients, acted as executor and assigned the task of overseeing an audit of the Trust to determine the new ratio for divestiture payments.

In 2001, Jane Reno, 93, died and an audit was performed and new divestiture payments calculated. Also in 2001, Janet remarried and again, another audit was performed. Janet also changed her will allowing her quarterly income to benefit her new husband in the event of her death. On a warm July evening in 2008, Janet wrapped her vintage T-Bird around a telephone poll. A bottle of Jack Daniels and a blood-alcohol content of point one-two made her husband of seven years, Ryan Richardson, a direct heir to the Spencer Trust, triggering yet another audit. Then, more recently, the daughter turned 21. Jerry Bucknell, the new executive trustee and partner at Munson Burkil, was

assigned the task of overseeing that audit and he took to his task zealously. This time, a major accounting bust dating back to 1966 was discovered.

“By averaging oil prices over forty years, taking into account inflation, and applying a modest *simple* interest of seven percent, Bucknell claims a back of an envelop estimate of three billion.” Mo said, reading from an email. He sat back and strummed his fingers on the desk. “If a true economic study was conducted, looking at a daily price of oil, multiplied by daily flow rate and subtracting thirty-three percent and operational expenses and then taking that money and putting it into a compound interest-bearing money market fund—forgetting the fact that, realistically the money would have been invested in a more aggressive vehicle—then he believes it might top ten billion. Three billion is a steal in his eyes and they will only push for half that.”

Whitte rolled his eyes. “You think it’ll fuck up the IPO?”

Mo shrugged. “It’s not going to help any.”

Whitte leaned back, looked up at the ceiling and closed his eyes.

When Robert Whitte, Jack’s father, disappeared into the Gulf of Mexico, the first order of business was to get him declared dead in absentia through use of an *imminent peril* clause in Texas probate law. Without the helicopter wreckage, it was a minor miracle to accomplish. Proof had to be provided showing no activity on any of Robert’s bank accounts and affidavits filed by friends of Robert that they had not been contacted

after he went missing. Once that was done, the legal wrangling of divvying up Whitte Industries began. Whitte Oil & Gas was spun off into its own entity with Jack owning 70 percent—his share plus his parent’s—and the employees owning partnership units of the remaining 30%.

This was the remainder of the Whitte conglomerate: Whitte Commercial was the owner of six office towers, numerous smaller buildings and strip centers plus dozens of lucrative property management contracts; Whitte+Patel developed software for geophysical applications as well as corporate accounting and systems security; and, Whitte Devil’s River researched, developed and manufactured oil field equipment and remote monitoring systems. All told, these companies were worth north of three billion dollars and employed over a thousand. It was Robert Whitte’s wishes that these companies would be spun off and taken public. Whitte Commercial would be first and the other two units merged and taken public. With his father’s death, Jack owned 40%, The Robert Whitte Charitable Trust owned 10%, his mother Mary owned 10% and the remaining 40% was owned by an employee trust. Employees received quarterly profit sharing checks from the trust and when an employee left WI, the corporation purchased the employee’s share. By corporate charter, no former employee could own partnership units in the company.

Jack could sign over WO&G and he could do it with a song in his heart. He had been counting down the days until the anticipated initial public offerings of Whitte Industries and the allure of leaving behind all other responsibilities had begun to creep into his heart. But WO&G employed 530 people, give or take a contract worker or two.

The first order of business if Spencer Trust successfully sued, would be to close shop and sell the assets, dumping the employees on the street. If a lawsuit were won, there would be no guarantee that the employees would receive a penny. That he couldn't live with. Unless he raided Whitte Industries for cash, he, individually, would be wiped out. If he had to raid WI then any potential IPO would be stalled indefinitely. Additionally, there was no guarantee that WI could be kept out of the lawsuit. This was an extinction event for Jack and possibly the employees.

Keeping his eyes closed, he fished for a pack of cigarettes in his sport coat's inner pocket and retrieved a lighter. He opened his eyes, sat up, lit a cigarette and blew a steady stream toward Boucher. He motioned for Mo to give him a refill on his Scotch.

"I took a look at your asset sheet," Boucher continued. "You should be able to raise about a billion and some change, enough change to give your people a pretty hefty severance if it came to that."

"Times are tough, Mo."

"That they are." Boucher raised his glass toward Jack and took a sip before spinning in his chair to face his computer. He pulled up a couple of spreadsheets in Excel and started flashing through them. "What if you sold your interest in Whitte Industries?"

"What, before the IPO?"

"That might be the only time you could do it. If this is filed, they may try to attach your shares. In fact it might be a good idea to stop the IPO for now."

Whitte shook his head. "Who's pushing it?"

“What do you mean?”

“Well, there are two remaining heirs to Spencer Trust.”

“Oh, I see. Well, there’s the Pinstriped Napoleon.” Mo chuckled as he poured himself another splash of Scotch. Noting Jack’s quizzical reaction, he continued, “Ryan Richardson, the governor. They call him that because of his penchant for pinstriped suits and he’s got small man’s complex. He’s probably the likely source of this particular angst. My source tells me he gets two million a quarter from the trust.”

“That ain’t chump change.”

“Seriously?”

Whitte shrugged. “What about Spencer’s daughter?”

“Well, Richardson doesn’t get along well with his stepdaughter at all. I do not know the particulars of how Spencer’s daughter was receiving income before she turned twenty-one—I’m guessing it went into a trust and Richardson was the trustee—but now that she’s getting the money directly, I’m guessing he’s lost control of that money and he’d probably got used to having it as a piggybank.

“You have to understand the dynamic. When he ran for lieutenant governor, his wife fully funded the campaign. Statewide campaigns are damned expensive so it tells me she probably raided the daughter’s trust. Having succeeded as governor, he hasn’t had to run yet. His first test comes next fall and I can guarantee you that without his stepdaughter’s money to borrow against, he’ll have to rely on contributions. Because he didn’t build up an organization as LG, he’s going to be hard pressed.”

“Political shakedown?”

“That’s where my money is.” Mo smiled. “Now, to answer your question about the daughter, I don’t have much info on her. She’s brilliant from scuttlebutt, second year UT law, already has an MBA from Rice. And from what I hear, a regular on Sixth Street. Maybe a little too regular. Might do some recreational pharmaceuticals and absolutely hates her stepfather in the worse kind of way. My kind of chick.”

“A little young for a wrinkled up prune like you.” Jack leaned forward and stabbed out the cigarette. “What are the chances that this whole thing is a scam?”

“I wouldn’t bet on it. Look,” Mo said leaning in toward Jack, “I could get disbarred for this but my source is none other than Jerry Bucknell.”

“The executor?”

“Yep. We’re both Yale Law. He’s fifteen years my junior but you know how the network works. He came to me during one of our monthly mixers. The issue is legitimate. They do not have any record of royalty payments since 1966. Spencer’s holdings were so immense that the quarterly payments weren’t even line items but, build it up over forty years then you’re talking serious money. His recommendation has been to approach you and see if you can provide documentation, canceled checks, et cetera. If not, work out a settlement. But it’s out of his hands. He’s a junior at Munson Burkil and it’s Burkil calling the shots. He suspects the governor but he has no dealings with him whatsoever so who knows what their game is.”

Jack stood and walked through the cavernous office to a window looking out into the fading summer day. There were various animal heads—victims of Mo’s appetite for the kill—mounted around the office glaring at Jack, screaming at Jack, warning Jack. The floor was custom mesquite; expensive just in the fact that the mesquite tree is a mangled

mess with twisting, stubborn trunks and branches that don't surrender long planks easily. And leather had a friend in the interior designer with large overstuffed couches and chairs upholstered with different exotic hides sitting in natural positions, defining functional spaces within the office. This was the ultimate man's office and Jack had actually modeled his own office in Houston after Mo's, *sans* the lifeless mounted trophies; Jack had never developed Mo's taste for the kill; that was a lawyer's trait and Mo was a very good lawyer.

Behind Mo stood the *Wall of Shame*, as Jack termed it for the wall was littered with pictures from Mo's mounting political ambitions. There was Mo saddled between the two presidents Bush. There was another of him in Navy whites next to Reagan, another in a tuxedo with Clinton and a newer one in designer gym shorts, a basketball under his arm next to Obama. There were plenty more with various personages, both of the easily recognizable variety, like Rick Perry, the former governor, and those whose power was beyond public knowledge. Of course those in the "know" knew who these anonymous brokers of power were and the display was rather impressive. On the wall between the bookcases was his framed A&M degree and one from Yale Law hanging next door and various citations from his career in the JAG corps. Mo Boucher was one hell of a guy and rather intimidating with these pedigrees on gaudy display.

As Jack walked back to the desk, his mind trying to focus, one of the pictures in particular stared at Whitte with caution. It was one of those black tie affairs, a fundraiser where everybody makes nice and opens their checkbooks for future favors. The man standing next to Mo was actually shorter by about an inch. He looked like a beanbag upholstered in tuxedo. Whitte had a particular disdain for the man so he thought more

along the lines of an upholstered sack of shit. His face sagged with yellowing eyes ringed in moist red, half shielded by horned rim glasses. No smile. No joy. No humanity.

Anton Bolo was the man's name.

"I didn't know you knew Bolo."

Mo turned and glanced back at the picture. "Jack, come sit down and let me tell you what scares me."

Jack did as he was told, stabbing out the cigarette in a polished brass ashtray sitting on the desk.

"I had a great uncle who practiced pediatrics in Independence, Missouri. Made a comfortable living and made better investments. When he retired, he set up a trust for the heirs for when he died. He also made a promise to the Mormon hospital where he delivered babies for forty years of a gift for two million. Well, his investments tanked just before he died. At the reading of the will, it was learned that what was left in the trust was two million and some change. Now, my Dad didn't need the money, I mean we had gobs."

Whitte smiled. Yes, indeed, Maurice Boucher was born with a silver foot up his ass.

"But my aunt needed what was supposed to be coming her way. She'd been ill quite a bit, maybe even an alcoholic but that's our family secret. Anyway, when the hospital learned that the trust was going to renege, they sued for the two million and got it. It wasn't that they were Mormons. They could have been Baptists or Episcopalians or Catholics. It's the fact that they all employ scum to raise their charitable contributions from corporate America and the wealthy. What's sick is that the manager of these

charities can sleep at night knowing the tactics that the outsourced companies use to fund their coffers.” He swung back in his chair and pointed at the picture. “What do you know about him?”

“I don’t have a lot of respect for him. Helped the Nazis when he was a kid in Czechoslovakia despite the fact he’s a Jew. Real name is Boleslav. In fact, didn’t he rat out his father?” It was a rhetorical question, “Made his money managing hedge funds and through market manipulations. Was convicted in absentia for currency manipulation in India.” Whitte lit another cigarette. “In summation, I just don’t like people who make their living without producing.”

“Well, if that were the case there wouldn’t be any investment capital. Look, I’m a bloodsucking lawyer so I can’t call the kettle black. The business that Bolo conducts serves a purpose in free markets. Sure, he’s a little more aggressive than most and he probably made quite a bit through information gained illegally. But that’s not what concerns me about him.” He swung back to face Jack. “That picture was taken two years ago at a fund raiser in Baton Rouge for Al Gentry who was running for their Senate seat.”

“Isn’t he a Republican?”

“What, because Bolo is associated with far leftist causes? There are no real political parties when it comes to fund raising. Gentry wants to get elected. Anton Bolo calls you up and wants to give you a check and you don’t say no. It just so happens that Gentry backed something Bolo wanted, something the other guy wasn’t.”

“And what was that?”

“The Free World Development Fund.”

“And, what is that?”

“It’s whatever Anton Bolo wants it to be. In this instance, FWDF backed an environmental project in a swamp west of Houma. Just so happens that the project will allow a portion of it to be developed for natural gas, so long as it goes to an oil and gas company from Argentina, which so happens to have a minority partner that happens to be funded by one of Bolo’s funds. The guy who ran against Gentry wasn’t for it. You know, drilling for oil is the devil’s work and all. Gentry won. The project went through. The Argentine company gets the bid. Jobs are created in Gentry’s hometown of Houma and, more importantly, it sent a message to future Democrats who want Bolo’s money.” Mo shifted in his seat like all of a sudden he wasn’t comfortable in his own skin.

“I was asked to be the FWDF honorary chair for Austin. I shrugged, agreed and now I don’t think the FWDF PAC will give money to anyone I might be going up against if I decide to run for AG next year.”

“So, are you going to run?” Whitte chuckled.

“You’re missing the point. Spencer’s favorite philanthropic endeavor was FWDF. I can’t get a confirmation but I’m guessing they get the lion’s share of Spencer Trust’s quarterly payouts. If they get wind that they can double the wealth of the Trust then they might be coming after you big time. I think you might want to cut a deal with Bucknell before they really figure out what they got.”

“Fuck,” Jack whispered as he fished for another cigarette. This was a Maurice Boucher that he didn’t know. A shark in a shark tank and to keep from being eaten he had to sacrifice some of his mackerels to be left alone. “So, this is who you’re afraid of?”

“Hell, yes,” Mo stated softly.

“Well, they can’t have it,” Whitte said defiantly. “It’s mine.”

Boucher seemed unmoved by his friends posturing. “What about your father’s charitable trust? Do they give to FWFD?”

“I have no idea. Martin Grossman runs it. When Dad was here he was active in dictating who got what but I, frankly, don’t give a shit.”

Mo smiled. His friend didn’t give a shit about a lot of things. That would change. “Jack, you don’t buy insurance from your brother-in-law; don’t buy a car from a cousin; don’t piss in your own water well and you certainly don’t hire your best friend to represent you in court when you’re faced with annihilation. I know what you’re thinking. I’m playing a pretty deadly game right now. I want to run for attorney general. I’m damned good and it’s a matter of moving up to the next level. I wouldn’t mind being governor one day and who knows, maybe even senator. I play the game because I have to. It’s my nature. Doesn’t mean I would sell my soul to get what I want and I would never, *ever* sell you out but if these people, these sick demented people come after you and win I don’t want you thinking I may have pulled a punch or two just to keep in the game. You understand?”

Whitte nodded.

“I’ve done what I can without taking it to the next step. You use Mary Catherine Dawson, at Smith and Swchieber for all your personal stuff, right?”

Whitte nodded again after a slurp Scotch.

“Laura Menzinger at S and S is really good. Not as good as me but damned good all the same. She works well with her client’s in-house lawyers and I think George Crosswell knows her. I’ll courier over all my notes and everything I’ve got. I’ll continue

to help and, hopefully, continue to provide information. You meet with her Monday. I'll set it up."

"Can't Monday."

Boucher scrunched his eyes.

"Oil exploration and production conference in Nassau. I'm one of the presenters and it's too late to back out. What about week after?"

"You're going for a beaver hunt, aren't you?" Boucher shook his head and gleamed. "Ah, to look as handsome and young as you look and to be unattached. These girlies you get a hold of know you're old enough to be their fathers?"

"Fuck. You. Mo."

"You're the one doing the fuckin'"

Whitte stood, depositing his glass on Mo's desk. "Come with me. Let's go get drunk. I need some company."

"You need to drive back to Houston tonight and do some research this weekend and get that to Menzinger before you leave for your little muff expedition. I want you going over your accounts, Joint Interest Billing, especially. Don't assign it to some flunky. You know how to do that?"

"I'm sure I can figure it out. I *ain't* helpless." Whitte turned back and leaned against his vacated chair. "Actually, we went through a system conversion last year. When Dad went missing, I had to be trained and they used the accounting databases to show me how things worked. Dad knew every nut and bolt in all three companies and how it all came together. Me? Shit. But at least I know where all the accounts for oil and gas are buried."

Mo pursed his chubby lips and stood up. "It's a shame what happened to your father. And, unfortunately, damned inconvenient."

"Yeah, damned inconvenient." Whitte frowned, taken aback by what he took as rude. "I didn't even have a body to bury."