# **HEWGE!**

A One-Act Play
by
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# CHARACTER LIST (in order of appearance)

HARRY HEWGE Sole proprietor of the

HEWGE Law Firm in the town of Harding, NY (pop. 50,000). Tall, overweight,

50-ish lawyer, with

extensive copper-colored

hair groomed into a

pompadour.

BOBBY BASE Associate lawyer in the

HEWGE firm. Late 20's, energetic, short and wiry,

receding hairline.

PHIL FLECKS Associate lawyer in the

HEWGE firm. Early-30's, contemplative nature, good-

looking, medium build,

dark brown hair.

MICHAEL MAVERICK Associate lawyer in the

HEWGE firm. Mid-30s, ideological type, serious facial expression, longish hair, wireless glasses.

ELLEN ESQUE Associate lawyer in the

HEWGE firm. Early 30's,

bright and capable,

attractive brunette, clad in

business attire.

DAN DIMMING Frail, aging client of the

HEWGE firm.

Voice (only) of Byre's lawyer.

Almost all the action takes place in the law offices of the HEWGE Law Firm. At center stage is the office of Harry HEWGE, which is three times the size of the four other small offices – two to the left of HEWGE's (those of Michael MAVERICK and Bobby BASE), two to the right (those of Ellen ESQUE and Phil FLECKS), with a small hallway on either side of HEWGE's office. Stage lights dim briefly and then come up to signal each new scene.

The time is in the non-specific present (but with no pandemic) – ten days in mid-May.

#### SCENE 1

[The setting is HEWGE's office at 9:00 am Monday morning. The office contains a gigantic desk free of papers, two television screens, no bookshelves. Harry HEWGE is seated in a bulky chair behind the desk. The other four lawyers all face HEWGE, with Ellen ESQUE and Phil FLECKS seated next to each other on a couch, and Bobby BASE and Michael MAVERICK in pull-up chairs near the desk.]

HEWGE: [*In a loud, commanding voice*] Okay, troops – it's time for the law firm's weekly meeting, so let's get this show on the road.

[The other four finish sidebar conversations and shift in their seats to face HEWGE]

HEWGE: [*Turning to Base*] Okay, Bobby Base, give us a quick rundown as to where we stand on the inhouse stuff. I'll chime in when I wanna comment

or have a new treat to add to the mix - the rest of you hold off.

BASE: Okay, troops [his voice attempting to emulate HEWGE's bombast and vocabulary] – let's start with our biggest client, Atlas Corp. To begin with –

HEWGE: [Interrupting] Phil, since you've been here just a few months, you may not realize that not only is Atlas our biggest client, but it happens to be the largest business in the whole town of Harding. It employs the most people and, even more important, makes the most money – and that's the commodity used to pay legal fees!

I know the rest of you all appreciate what a tremendous coup I engineered in January when Atlas decided to shift its legal business from that hot-shot firm in Coolidge – a city almost ten times the size of Harding. Goddamit, I beat out all those other Harding firms, even though we've been in business only a couple of years.

BASE: You're damn right we appreciate it, Mr. HEWGE

- what a coup! Now, as I was saying . . . . [The volume of his voice goes down and the lights dim for five seconds to signify the passage of time, during which Base presumably reels off the status of matters the firm is handling for Atlas. The sound and lights come back up to normal as he's about to conclude.] Finally, I'm delighted to acquaint you with our newest project – Atlas's proposed acquisition of the Faucetworks plumbing company located in Hoover –

HEWGE: [Interrupting again] – Just so you guys recognize it, I was the one who brought this deal to Atlas. It burns me up that the press is giving credit for finding that deal to Joe Globe, the idiot C.O.O. of Atlas – I should be the one getting the credit! I know the manager at Faucetworks and introduced him to Globe . . . . What a steal this deal is going to be – it'll double the Atlas income from its plumbing business . . . . How about that, Bobby?!

BASE: [Replying instantly] It was an incredible feat, Boss – no one else could pull it off.

HEWGE: That's my Base!

[HEWGE beams, presumably at both his role in the deal and Base's compliment. Flecks' eyes roll to convey an expression of exasperation aimed in Esque's direction, which she sees but doesn't acknowledge.]

BASE: Okay, that's it for Atlas – let's move on to the next client.

MAVERICK: Mr. HEWGE, may I ask a question about Atlas?

HEWGE: [looks uneasily at Michael]. Okay, but make it quick.

MAVERICK: Bobby, when Atlas hired our firm, I remember Joe Globe telling us to keep them advised of any legal or financial opportunities we became aware of. A few months ago I told you I'd come

upon a new government program that could be very valuable for Atlas. Did you bring it to their attention? As I recall, Atlas needed to apply for it by April 30 – a few weeks ago. Did they do that?

[Base, caught off balance by the question, doesn't reply immediately].

HEWGE: [Intervening] I'm sure that whatever needed to be done, was done . . . . Now Bobby, let's move on to the next client – this meeting is taking too long, and the worst thing about it is that we can't bill anyone for this time – or [winking at others] can we? . . . . How about my favorite client, Carl Crafty – what's he up to?

[Flecks winces visibly, as if expecting to hear something painful]

BASE: Well, the main thing going on there is the tax position that Crafty is taking with the IRS on their new construction project. If it works, it's gonna get him a big write-off.

HEWGE: [*Smiling broadly*] I just love to hear this kind of thing – what a shrewd guy that Crafty is!

MAVERICK: [Interrupts – this time without asking HEWGE's permission.] I'm aware of this issue, but I thought that in order to take that tax position, Crafty will have to represent some facts to the IRS that are probably false.

HEWGE: So what if he does – we'll back Crafty to the hilt if we need to . . . Okay, next client, Bobby . . . .

#### SCENE 2

[The setting is Ellen ESQUE's small office a little later Monday morning. Ellen is seated behind her desk. Phil FLECKS enters and settles into the one pull-up chair.]

FLECKS: [Figuratively wiping his brow.] Whew!

ESQUE: I know what you're thinking Phil – I saw you twitching in there. But do I need to repeat what I've been saying to you right along? –

FLECKS: - Which is -

ESQUE: – That this is Mr. HEWGE's style – that's all. He has a way about him that some people – evidently including you – find objectionable. But given our situation here, a flawed style is something we can live with.

FLECKS: You have told me that often, Ellen. But there's more than a flawed *style* involved here – there's also flawed *substance*.

ESQUE: Like what?

FLECKS: Like the way he's sucking up to Crafty on that dubious tax scheme.

- ESQUE: [Shaking her head in mock-conspiratorial style] Oh, come on Phil, you know as well as I do that there are always two sides to every tax issue. I'm sure Mr. HEWGE will come up with some plausible argument to justify –
- FLECKS: Not so. He's ready to back up his buddy Crafty, no matter what factual misrepresentation the man makes. That's dangerous stuff to fool around with - the IRS is not an enemy you want to have.
- ESQUE: [Stands up and stretches] Look, Phil, if you want my advice –
- FLECKS: Of course, I want your advice, Ellen you're the smartest one around here.
- ESQUE: Overstated, but I won't complain. My strong advice is for you to keep those negative feelings to yourself. If you have to blow off steam, do it with me, but avoid everyone else. Bobby Base isn't to be trusted, Michael Maverick is already taking big chances, and as for Mr. HEWGE well, he hates to hear bad news and doesn't appreciate being second-guessed.
- FLECKS: Yeah and speaking of Maverick my God, Michael is really going out on a limb nowadays.
- ESQUE: He's starting to remind me of Gil Goner. Sure, he's a lot smarter than Goner, so I doubt he'll flat out tell Mr. HEWGE he's dead wrong the way Goner did last month . . . .

- FLECKS: At which point within minutes, it seemed the Big Five of the HEWGE firm's legal staff was reduced to the existing Small Four. [They both nod their heads in concurrence at the memory of Goner's ouster]. Well, Ellen, I do agree with you that Harry HEWGE is all about loyalty to him. In his mind, questioning a HEWGE decision is tantamount to disloyalty the punishment for which is firing. Moreover –
- ESQUE: Phil, how many times do I have to remind you? Unless you refer to him as "Boss" which Bobby does a lot he wants to be called "Mr. HEWGE" exclusively. No "Harry" and not even just "HEWGE", which he reserves for the law firm, not the individual.
- FLECKS: I'm working on it . . . . Anyway, none of us can generate any defense to dismissal, since we're not partners of the firm but simply dispensable associates lacking any discernable partnership track.

[They fall silent for a few moments]

ESQUE: Phil, I don't think I'm as smart as you say I am, but I do consider myself very practical. I've made this speech before, but I think it needs to be repeated.

FLECKS: Go ahead - I probably need reminding.

ESQUE: Look, we live in Harding, not a big town, population 50,000, no New York City or even Buffalo or Albany. There aren't many law firms here, and I'm not aware that any of them are looking for new associates. Plus which, the quality of their work isn't the highest. Sure, there are a number of firms in Coolidge, but as far as I know, they're not hiring either – and the fact that Atlas chose us over the Coolidge firms doesn't say a lot for the respect they receive.

FLECKS: All right, I get your point.

ESQUE: [*Pressing on*] We need this job. So suck it up, Phil, and let's get on with the work.

FLECKS: Work – and hopefully some *play*, too. [*He stands, reaches across the desk to stroke her arm in an affectionate gesture.*] How about dinner and a movie tonight?

ESQUE: [clasping her other hand over his] I'd like that, but let me see where I stand on my work in the late afternoon . . . .

# SCENE 3

[The setting is HEWGE's office, a little later Monday morning. HEWGE is seated behind his humongous desk, watching news shows on each of the television sets. (The two sets will also be turned on in almost every subsequent scene taking place in HEWGE's office.) Bobby BASE appears at the door.]

HEWGE: Come in and pull up a chair.

BASE: [flashing a broad smile, sits down, pulls out a yellow pad] I just got your message to come over, Mr. HEWGE. What's up?

HEWGE: I need your help on a few matters, Bobby.

BASE: My pleasure.

HEWGE: [handing him a sheet of paper] First, here's a bill we received from the outfit that handled our office redecoration last month. They're asking a ridiculous amount. I'm tempted to totally stiff them, but that might cause those yokels to badmouth us around town. So it may be better to get the total bill knocked down to about a third of what they're asking, spread the payments out over a year, and warn them that all payments will stop for good if we hear they're spreading any negative gossip about us.

BASE: No problem, Boss – I know just how to handle suppliers like that.

HEWGE: That's my Base . . . . Now the other thing is this report we have to send in to the county bar association. They're asking how many hours the firm's lawyers spent on *pro bono* stuff in the past year, what percentage that was of their total time, and what cases we handled.

BASE: [Frowning] Pro bono stuff? – I didn't know we did any.

HEWGE: You're damn right we don't! Why the hell would we do something and not get paid for it? . . . But that's not what those county dudes want to hear. So come up with some phony junk that we might well have done. And make sure you create enough hours to bring us within their time guidelines. I doubt those idiots will come after us, but let's lay down a fake paper trail in case they get inquisitive.

BASE: I'm on it. Like you've always said, Boss, we don't lie – we just present "alternative facts."

HEWGE: Right on!

BASE: It makes me mad, Mr. HEWGE. Those county regulators are trying to take money out of our pockets – making us use up our precious time to give dopers and criminals free legal advice.

HEWGE: Exactly my thoughts.

BASE: I'm on it, Boss. Should I run this by you when I've got it done?

HEWGE: No, just file it with the county – I don't want to see it . . . . Remember what I've told you about plausible deniability . . . .

[HEWGE picks up his phone to make a call, signifying to Base that their meeting is over. Base gets the signal and stands up to leave.]

- HEWGE: [Before beginning his call] Bobby, you're my kind of guy. You know just what I want not like some other lawyer I might mention and then you take care of it. I predict you'll go far in this firm.
- BASE: Thanks for the seal of approval, Mr. HEWGE. I'm having the time of my life working for a guy as masterful as you.

#### SCENE 4

[The setting is the hallway between the offices of HEWGE and FLECKS. As the lights come up, HEWGE and FLECKS are walking toward each other. No one else is in the area. HEWGE stops, gestures to FLECKS that he wants to converse, at which point FLECKS comes to a halt.]

- HEWGE: Phil, I've been meaning to speak to you. I've noticed in the few months you've been with us that you're doing good work. I have no complaints to make. As a matter of fact although you can't tell this to the others I think you're probably the smartest of all the firm's associates and potentially the most effective. [HEWGE pauses, expecting a reaction from Flecks.]
- FLECKS: [on his guard, takes a moment to discern what's called for] I appreciate the vote of confidence.
- HEWGE: [smiles briefly, then becomes serious] But, Phil, there's something I value over smarts, and that's loyalty in this case, loyalty to me, your boss,

who happens to be the source of the very fine salary you're receiving.

[HEWGE pauses again, perhaps expecting a response, but Flecks makes no attempt at one. Once it's clear none is forthcoming, HEWGE proceeds]

You heard Maverick's malicious comments in the meeting this morning, right in front of all of you. That's *not* what I consider loyalty – in fact, it's exactly the opposite. It upset me very much... [His voice now gets much louder] And I don't want to hear any of that kind of crap coming from you! [Without waiting for any response from Flecks, HEWGE strides vigorously down the hall.]

#### SCENE 5

[The setting is MAVERICK's office at lunchtime on Monday. Michael is seated behind his small desk, Phil FLECKS is in the pull-up chair. Each is munching on a sandwich.]

FLECKS: [Pointing to the brown paper bag the sandwiches came in] A delicious repast that we ordered in from the gourmet diner . . . .

MAVERICK: Specialty of the house . . . .

FLECKS: [Phil takes a bite of sandwich before proceeding] Michael, may I speak to you candidly? I consider you my friend, and I'm frankly concerned about what might be happening to you.

- MAVERICK: [After swallowing a bite of sandwich] Go ahead.
- FLECKS: Well, HEWGE uh, that is, Mr. HEWGE is very displeased with you. I know it because he told me so directly. In his mind, your questioning of what he does amounts to disloyalty. It's absurd, of course, but I'm worried that what makes him angry might mean trouble for you.
- MAVERICK: [puts down his sandwich] Listen, Phil, I appreciate your warning, but I'm no dummy I can see the Boss is irritated.
- FLECKS: The problem is that he could just decide to fire you as he did with Gil Goner.
- MAVERICK: I know. I'm also aware of how horribly he's bad-mouthed Goner to the legal community since firing him, which has made it impossible for Gil to find another job . . . .
- FLECKS: Aren't you worried that Mr. HEWGE might also do that to you?
- MAVERICK: I'd be foolish not to expect that kind of treatment from him. But that's not a good reason to stick around and keep my mouth shut. I just can't keep quiet any more about some of the things he does. The man is pure evil. [Pauses briefly] Have you heard about the Stewart escrow situation?

FLECKS: No, I haven't.

MAVERICK: It's part of a deal I worked on last year. Our client Stewart sold his business to Pearson for about a million dollars. Ten percent of the price was put into escrow to protect Pearson for a two-year period against any misrepresentations Stewart may have made in the contract. HEWGE convinced Pearson to let our firm act as the escrow agent, holding the \$100,000 fund.

FLECKS: That doesn't sound so bad.

MAVERICK: Yeah – except that, on the sly, HEWGE has, quote, "borrowed," unquote, from the fund half of the escrow amount – \$50,000 – and is using it to finance his own stock market speculations.

FLECKS: Oh, no!

MAVERICK: Oh, yes. When I found out what he'd done, I questioned him on the propriety of this – I mean, it's goddamn criminal. He didn't seem bothered one bit about it – other than the fact that I'd discovered his secret! He told me [imitating HEWGE's voice], "Ah, they'll never know it happened. And when the time comes to distribute the escrow, I'll return the funds" – [back to Michael's normal voice] but not, of course, any of the money he's made by using the funds to invest or speculate. And what happens if he suffers losses to the escrow principal?

FLECKS: [shaking his head in denial] Michael, I'm sure there must be more to the story than this. Mr.

HEWGE may not be conventional, but he wouldn't dare go that far . . . .

MAVERICK: But he did. And since you've only been here a few months, I could regale you with so many other stories from the past several years – overbilling clients, stiffing suppliers, telling lies in negotiations – the works. I just can't take it any more – I've begun looking around for other legal jobs that might be available.

FLECKS: Come on, Michael, don't quit. We need you. You're a damn fine lawyer and the conscience of the firm . . . . Things will work out, I assure you [but as he utters this last sentence, Phil's voice carries no such assurance.].

#### SCENE 6

[The setting is HEWGE's office early Monday afternoon. He's alone, seated at his desk, on the phone.]

HEWGE: Jerry, my boy, I need you to do something for me. [Pauses to hear Jerry's response] Well, as I've always said, you're my number one fixer. Here's the story. There's a guy in my firm I want to fire. He's a real shithead – a loser, and you know I only like winners – and there's not a shred of loyalty in him. What I need is a plausible reason for firing him – something outside his employment here. I don't want to get into a pissing contest with him about his performance at the firm – even though it's been horrible. So

please see what you can dig up on this guy – his name is Michael Maverick . . . .

#### SCENE 7

[The setting is the hallway between the offices of MAVERICK and BASE, a little later Monday afternoon. The two of them bump into each other]

MAVERICK: Oh, Bobby, I wanted to follow up with you on that Atlas matter I mentioned at today's meeting – about the need for Atlas to have made a filing in April to qualify for a subsidy offered by the government . . . .

BASE: [shakes his head vigorously] I don't know anything about that. The stuff I do for Atlas doesn't get into that area....

#### SCENE 8

[The setting is HEWGE's office that same Monday afternoon – HEWGE behind his desk, ESQUE in a pull-up chair]

HEWGE: Ellen, I called you in here to compliment you on the good work you did on the Johnson situation. It worked out just perfect – and although I take personal credit for most of that, your contribution was helpful.

ESQUE: [pleased] I'm glad to hear it worked out well, and thanks for your good words.

HEWGE: I think we should celebrate the occasion. Let's have dinner tonight, and we can also talk over the next steps to take with Johnson. Meet me at the Intimate Bistro at 7:30 . . . .

#### SCENE 9

[The setting remains HEWGE's office, a little later that afternoon – HEWGE seated behind his desk, BASE in a pull-up chair.]

BASE: I just want to report, Boss, that a while ago Michael stopped me in the hall and started to probe into the Atlas filing that we missed. I told him I didn't know anything about it. I thought you ought to know that he's suspicious.

HEWGE: That sonuvabitch . . . .

BASE: Don't worry, Mr. HEWGE – I can handle the guy.

HEWGE: What are you talking about – you're the idiot who caused us the goddamn problem! I want you as far away from it as possible. I need someone else for this one – maybe Phil . . .

# SCENE 10

[The setting is ESQUE's office later that afternoon, with her seated behind the pint-sized desk. MAVERICK knocks on the door; she invites him in]

- MAVERICK: The secretary said you wanted to see me.
- ESQUE: I do please sit down. [*He pulls up the chair*] Let me come right to the point, Michael – I'm worried about you –
- MAVERICK: [interrupting] Hold it, Ellen, I know what you're going to say. But I can't take it any longer. It's not just the little things that drive me crazy. For instance, I'm pretty sure we have a big potential problem with Atlas that no one's facing up to. So I've decided to resign to get out of here before he fires me, and also before the shit hits the fan.
- ESQUE: [shaking her head] Don't do it Michael. Look, Mr. HEWGE is a powerful man in the community with a lot of supporters people who overlook the baggage from his annoying qualities and aren't aware of any real problems. After all, he was a big success in the real estate business before forming the law firm. Working for the HEWGE firm is considered to be a prestigious job.
- MAVERICK: That may be true ignorance is bliss but I'm not going to let that sway me.
- ESQUE: [Not backing down] Let's face it, Michael, the man exudes a certain magnetism. And if he likes you, he does good things for you.
- MAVERICK: Like what? fixing a parking ticket?

- ESQUE: No, no if you stay, there are bound to be big rewards.
- MAVERICK: I'm not buying it. If I stay, he'll find some reason to fire me. And then he'll bad-mouth me all around town, just as he's done with Gil Goner.
- ESQUE: But look, Michael, even if you leave voluntarily, there are not that many other places for you to work . . . .

#### SCENE 11

[The setting is HEWGE's office later that Monday afternoon – HEWGE seated behind his desk, Phil FLECKS in a pull-up chair.]

HEWGE: Phil, I've got something I need you to get involved in. It's that missed deadline for Atlas that came up this morning. Bobby Base is to blame for overlooking the date – he's a good guy but, let's face it, not the sharpest tack around. I'd like you to look into the situation. Don't talk to anyone about it – not even Bobby – and then we'll discuss what, if anything, to do about the damn thing . . . .

[Brief blackout . Scene continues in HEWGE's office after Flecks leaves. Phone rings, HEWGE answers it.]

HEWGE: Oh, hello, Jerry. [Pauses to listen] Wow, Jerry, you managed to get some spicy dirt on Michael Maverick real quick! That's terrific – tell me all

about it . . . .

[Another brief blackout. Scene continues in HEWGE's office with him off the phone. BASE knocks on the door.]

BASE: You wanted to see me, Mr. HEWGE?

HEWGE: Come in, Bobby – I've got a new assignment for you . . . .

#### SCENE 12

[The setting is ESQUE's office later that Monday afternoon, with Ellen seated behind her desk. FLECKS enters and remains standing.

- FLECKS: Here's the latest. Your Mr. HEWGE asked me to get involved in a potential Atlas problem, but then told me not to discuss the details with anyone which leads me to suspect that something is non-kosher.
- ESQUE: [passing off the news] Oh, Phil, you're such a worry wort. Mr. HEWGE isn't so bad . . . . Matter of fact, he complimented me today for my work on a case. [pause] Actually, he's taking me out to dinner tonight to celebrate the favorable result so I won't be able to be with you for the evening.
- FLECKS: [moving closer] Hey, wait a minute I have to wonder what his real motive is for the "congratulatory" dinner . . . .

ESQUE: [Waving him off] Oh come on – I can take care of myself . . . .

#### SCENE 13

[The setting is MAVERICK's office late Monday afternoon, with him seated at his desk. BASE enters the room without knocking]

BASE: Michael, I've been sent here by Mr. HEWGE. He has just fired you – the reason is contained in this letter [hands envelope to Michael]. You have 30 minutes to clear out your personal things from the office – but don't touch any papers or anything else belonging to the firm. Then hand over your key and leave the building . . . .

# SCENE 14

[The setting, at one side of the stage, is a street corner in front of an "Intimate Bistro" sign, where HEWGE and ESQUE have just had dinner Monday night.]

ESQUE: Thanks, Mr. HEWGE - a delicious meal.

HEWGE: I enjoyed it. You know, since my divorce, I haven't had much female companionship – working too hard, I guess – so this hit the spot.

ESQUE: I'm glad.

HEWGE: But Ellen, it's much too early to end the evening. [*Puts his arm around her shoulder*] I have an idea – why don't we go back to my apartment, have a nightcap, and listen to some fine music.

ESQUE: [flushed] Oh, well -

HEWGE: [*lasciviously*] Or we could stream a top movie . . . .

ESQUE: [recovering] No, Mr. HEWGE, thanks for the invitation, but I really can't –

HEWGE: Sure you can.

ESQUE: Under the circumstances, I don't think it would be a good idea.

HEWGE: What circumstances?

ESQUE: [avoiding the obvious employer-employee rationale] Well, the fact is that I actually have to go back to the office now. There's a memo I promised to get to a client early tomorrow morning, and it needs more work.

HEWGE: [slowly acquiescing, but with a chilly smile] Well, if it's for the good of the firm, I'll accept that rejection – at least this time.

ESQUE: [relieved] Yes. It's an important memo on the subject of –

HEWGE: – I don't want to know. [removes his arm from her shoulder] But Ellen, I do have a word of advice for you, if and when this comes up again. Keep in mind that I can be very helpful – or not so helpful – to your legal career . . . .

#### SCENE 15

[The setting is ESQUE's office Tuesday morning – Ellen behind her desk, Phil in the pull-up chair]

FLECKS: [Completing his report to her on Michael's firing] And so, that's it in a nutshell – no warning, using Bobby as a messenger, making what I'm sure was a trumped-up charge, and then "get out of here in 30 minutes." HEWGE – uh, Mr. HEWGE didn't even have the decency to deliver the message personally – he's a bully, but in some ways a real coward.

ESQUE: I'm shocked and very unhappy. I've always liked Michael, and he's a hell of a lawyer . . . . You know, in addition to this not reflecting well on Mr. HEWGE, it's bad news for the firm to lose someone so talented . . . . And there we were just yesterday – both trying to keep Michael from quitting – and now Mr. HEWGE pulls the rug out from under us.

FLECKS: [Nodding in acquiescence – then, after a brief pause, changing the subject] Speaking of Mr. HEWGE, how did that dinner with him last night work out?

ESQUE: [The lights dim. Esque moves to the hallway just outside her office. As the lights go up, she speaks aloud to herself.] I'm reluctant to tell him about the aftermath of the dinner. Phil and I have gotten pretty close since he joined the firm. We've made no commitments concerning the future – either about our future as a duo or our tenure at the firm – but I like him a lot. I'm afraid he might go ballistic hearing how Mr. HEWGE tried to lure me up to his apartment, and then obliquely threatened to undermine my career if I didn't ultimately acquiesce. It might send Phil off in a direction we may not eventually want to take. So I'll just keep it to myself for the moment.

[Esque concludes her soliloquy, the lights dim, she returns to her office, the lights go up, and now she replies directly to Phil's question] Well, it was okay. I had the Chilean sea bass, he had roast beef. I had one glass of white wine; he had a diet coke. We discussed a variety of stuff. And when it was over, I went back to the office to finish that memo I had promised to get to the client early this morning. So, no big deal . . . .

# SCENE 16

[The setting is HEWGE's office later Tuesday morning – HEWGE behind his desk, FLECKS in a pull-up chair]

HEWGE: I don't know if you heard, Phil, but I had to fire Michael Maverick yesterday. A really bad event surfaced from out of his past which – if and when it went viral – could have been very damaging to the firm.

[HEWGE doesn't wait for a reply from Phil before proceeding]

Anyway, I'm not going to dwell on that fiasco, I called you in for another reason. As you probably know, we're representing Cellar Corp. in its proposed acquisition by Byre Inc. I, of course, am leading the charge. Michael was assisting me, and now I'd like you to take over his role.

As usual, the big issue is price. Byre is offering four million and Cellar would like to get five – although candidly the business isn't worth that. Read the deal papers today because we have a phone meeting with the other side tomorrow morning. This will be a good educational experience for you – you'll get to see how I handle a tough acquisition negotiation . . . . Now leave me alone – I've got some other things to do.

[The lights dim. Flecks moves to the hallway outside HEWGE's office. As the lights come up, Phil speaks aloud to himself] It's goddamn unbelievable . . . . I don't think I said a word in that whole meeting. Here I am, still in shock from Michael's firing, but HEWGE avoids discussing what caused it and gives the subject less than a minute before moving right into me replacing Michael on an acquisition – and then boasting about how he's going to handle it tomorrow . . . . I have to say, I'm very uneasy about staying with the firm – being at the mercy of

this charlatan ....

[The scene ends]

#### SCENE 17

[The setting is HEWGE's office later Tuesday morning – him seated at his desk, Ellen ESQUE in the pull-up chair.]

HEWGE: I enjoyed our evening – although it ended too soon.

ESQUE: The dinner was excellent . . . .

HEWGE: Just keep in mind how determined I am to help you with your career . . . . [Esque nods her head but doesn't reply]

HEWGE: You've probably heard that I had to fire Michael Maverick yesterday. A really bad event in his past surfaced that could have hurt the firm if he were here when it went viral. [Doesn't wait for a reply] Anyway Michael was helping me – if you can call it that – do some estate planning for Dan Dimming, a rich old guy who's unlikely to live much longer. I want you to take over Michael's role, so look over the file. We have a meeting with Dimming tomorrow.

# SCENE 18

[The site of Michael Maverick's former office has been

stripped of its furnishings, so it can now be used for other settings. Here it becomes a table at the Friendly Diner, where Michael MAVERICK and Phil FLECKS are having lunch Tuesday]

FLECKS: Michael, I feel terrible about your being fired and about the nasty way it was handled by HEWGE and Bobby.

MAVERICK: I appreciate your saying so, Phil. By the way, do you know what the phony story was that they said was the basis for the firing?

FLECKS: No, I don't.

MAVERICK: The accusation was that years ago I had someone take the bar exam for me. That's ridiculous, of course – I passed it with flying colors on my first try. But I happen to know what they based that falsehood on.

The year of the exam, the Harding Beacon ran a story about the town of Harding hosting the exam for the entire county. The article included a picture of a candidate entering the room where the test was administered. However, the reporter or photographer mixed things up and identified the candidate as me, Michael Maverick.

When the article appeared the day after the exam, I immediately notified both the bar examiner and the newspaper of the mistaken identification – just so they wouldn't jump to any erroneous conclusions about someone taking the test for me. The paper

printed a correction in its next edition, and the bar examiner assured me that this wouldn't affect me in any way. But HEWGE must have somehow gotten ahold of the original article and didn't bother to check it out.

FLECKS: Oh, that's a terrible story.

MAVERICK: One thing I've noticed about HEWGE is that he likes to ascribe his own failings to others, I'm willing to bet you that somewhere in HEWGE's past, he actually did pay someone to take a test for him.

FLECKS: I see your point . . . .

MAVERICK: I'm just annoyed that I delayed my decision to leave the firm before now. It would have made for a much better resume when I look for another job. Now it may be tough, especially if HEWGE spreads that phony test tale . . . . But enough about me. What's new with you?

FLECKS: Well, you'll be interested to hear – although I'm under instructions not to discuss it with anyone – that HEWGE has gotten me involved in that Atlas filing matter you raised at the all-hands meeting. He acknowledged that we missed the filing deadline – blaming it on Bobby.

MAVERICK: Well, in the hours before being fired I did some further digging, and here's what I discovered. It's a little known governmental subsidy which is part of the stimulus program to

relieve heavy construction costs like those that Atlas has incurred. But even though the final filing date to take advantage of it has now passed, there's a provision hidden in the regulatory boilerplate that permits late filing.

FLECKS: No kidding.

MAVERICK: Yeah – you just acknowledge that you failed to make a timely filing, pay a modest late filing fee, and then you can claim the same subsidy as those who filed on time. I'll give you the info on it.

FLECKS: That's great. I especially appreciate you helping out the firm after it has treated you so badly.

MAVERICK: No problem. And be sure that you take the credit for finding the late filling provision – it won't do me any good. But remember, the revised filing has to be made before the end of this month, so you guys can't sit on it . . . .

### SCENE 19

[The setting is HEWGE's office early Tuesday afternoon – he in his desk chair, Bobby BASE in the pull-up chair]

HEWGE: Good work on getting rid of MAVERICK yesterday.

- BASE: My pleasure, Boss. If I may say so, I don't think Michael ever gave you the proper respect you deserve.
- HEWGE: Damn right he didn't! But you, my Base, know about loyalty . . . . And so I have another job for you that's been on my mind.
- BASE: [Flips yellow pad into writing position] Okay, Mr. HEWGE, shoot.
- HEWGE: There's a lawyer in town named Larry Lust, who's in hot water with the Ethics Committee accused of pimping prostitutes. I don't know how often he does it, but one time he did fix me up with a real beauty . . . . Anyway, he's going to be pressured to come up with a list of clients, and I don't want him putting my name on it.

BASE: Of course not, but he may be tempted to.

HEWGE: And that's why I want to make nice to him, although not back him publicly – there's too much heat on the guy right now. What I need you to do, Bobby, is to make sure Larry knows I'm in his corner, and why it will be best for him not to involve me . . . . Maybe figure out a plan to throw a little business his way . . . .

BASE: I understand, Mr. HEWGE – no problem. I'm on it.

# SCENE 20

[The setting remains HEWGE's office, later that afternoon, with him behind the desk and Phil FLECKS standing.]

- FLECKS: I found out something helpful on that Atlas "missed date" situation.
- HEWGE: It's that goddamn Bobby Base who screwed up . . . .
- FLECKS: [Enthusiastically] We can fix this, Mr. HEWGE. There's a half-hidden provision that says, for a small fee, Atlas can file late and still take advantage of the subsidy.
- HEWGE: [non-committal] Let me see it, and I'll decide what we should do.

#### SCENE 21

[MAVERICK's office has now been converted to Ellen ESQUE's apartment. It's Tuesday night, and as the lights come up, she and Phil FLECKS are embracing on a couch.]

ESQUE: Oh, that feels nice.

- FLECKS: Yeah, sure does. It's been hard for me to keep from showing how I feel in the office but Ellen, you're really something.
- ESQUE: That's how I feel too, Phil but I think we're handling it the right way. Mr. HEWGE would not

appreciate discovering that two of his enablers have begun a clandestine relationship.

FLECKS: In his mind, anything that doesn't involve him can't be good. He likes to keep everyone isolated – two of us bonding together wouldn't be well-received.

ESQUE: But here on the sofa, a little affection is okay.

[She reaches out to embrace him]

FLECKS: [*After the embrace ends*] Well, these recent events have given us a lot to think about . . . .

ESQUE: Right, but let's not make any rash decisions just yet.

FLECKS: [Doesn't vocalize agreement but caresses her warmly]

# SCENE 22

[The setting is HEWGE's office on Wednesday morning – HEWGE behind his desk, FLECKS in a pull-up chair.]

HEWGE: Okay, the conference call is about to begin. It's us, our client Cellar, the potential purchaser, Byre, and his lawyer. Just watch me in action. [*The phone call begins*]

- HEWGE: Everybody on? . . . . Okay, so let me make our position crystal clear it will take five million dollars for Byre to acquire Cellar.
- BYRE's LAWYER: [voice coming over the speaker] We like your company and believe it would be a good fit but we're not willing to pay more than four million.
- HEWGE: Oh, give me a break . . . . Well, that's just too bad, buddy, because we've got another purchaser who is ready, willing and able to pay five million. I'm only dealing now with you because you were first on the scene. So stop fooling around if you want the company, pay our price.
- BYRE's LAWYER: [voice over speaker] It's too much. The business isn't worth it.
- HEWGE: [Gets excited] Ah, the hell with you! You dope, you're passing up a real bargain. In fact I think I'll leak a story to my favorite reporter about how you blew a great deal the Byre stockholders will love to hear about that! . . . If you don't get back to me by the end of today with an affirmative response, Cellar goes to the other guy. [Bangs the phone button to terminate the call] . . . Well, Phil, how did you like that?
- FLECKS: [In shock] Well, uh, Mr. HEWGE, you certainly came on strong. But I didn't know you had in your pocket another potential purchaser of Cellar for five million.

HEWGE: We don't – I made the whole thing up to scare them into paying our price if they really want the company – which I think they do. [FLECKS grimaces but doesn't comment] And not some compromise price – I like winners, and Byre, I can tell, is a born loser.

[HEWGE picks up the phone.]

HEWGE: Okay, that's it. I'm on to other things.

FLECKS: [*Getting up to leave*] Oh, I just wanted to check on when we should notify Atlas and go ahead with the paperwork on the late filing for them.

HEWGE: Don't bother - I've decided not to do it.

FLECKS: [*Taken aback*] I don't understand, Mr. HEWGE – it's a way out of the problem for Atlas, and also for us.

HEWGE: Yeah, but it requires us to concede we screwed up by not catching it the first time around. I don't like to admit error – and I never want to have to apologize for anything.

FLECKS: But if we don't do it, Atlas will lose out on a good thing. And – although I hate to bring this up – last month Atlas sent out a questionnaire to all its outside advisors, asking if we were aware of any legal or business problems or opportunities for Atlas that hadn't been acted upon. We replied that we knew of none.

HEWGE: Ah, they'll never even find out it was available. And if they do, we'll come up with some kind of excuse – like blame it on Bobby Base having a bad hair day . . . .

#### SCENE 23

[The Setting is HEWGE's office, Wednesday afternoon. With him are Ellen ESQUE and an aged, fragile man, Dan DIMMING]

- HEWGE: . . . And so, Mr. Dimming, my strong advice is that you should make a change right now regarding the Executor named in your Will do you understand?
- DIMMING: [Voice wavering, brain wracked by dementia] Well, not exactly . . . .
- HEWGE: [smoothly] It's really simple. Why pay all that money to a big bank where you don't even know anyone personally? Your Executor should be someone you know and trust someone who cares about you, and if and when you pass on, will take good care of your family.
- DIMMING: [Mumbles something unintelligible, makes a few spastic motions]
- HEWGE: And if I do say so myself, the right guy for the job is . . . me. You know I'll look after Edith and the children. [*Produces a sheet of paper*] Now, Mr. Dimming if you'll just sign this short codicil I've

prepared, that will do the trick.

[HEWGE physically guides the befuddled old man's hand in a slow motion effort to sign the codicil]

HEWGE: [When the signing is completed] That's fine, Mr. Dimming. Well, nothing more for you to worry about. My secretary will call your driver to come and get you. [Leads him out the door]

HEWGE: [Returns to room, speaking to an obviously distraught Ellen] Well, that wasn't so hard. And when Dimming dies, which probably isn't long off, I'll make a lot of money as the Executor and have a lot of leverage with the members of his family who inherit his dough. Same with the charities he supports....

By the way, Ellen, Bobby is preparing a document that you need to sign as a witness who observed the signing of the codicil – that Dimming was of sound mind and in full control of all his functions, etc., etc. I'll also get my secretary to sign as a second witness – she'll sign anything I ask her to....

# SCENE 24

[The setting is ESQUE's apartment Wednesday evening. ESQUE and FLECKS are sitting (apart) on the couch]

FLECKS: So summing up, I saw HEWGE – uh, Mr. HEWGE at his worst. I listened to him invent a fictional purchaser for his client's company in

order to goose the first guy's bid. Then I heard him refuse to help a client achieve a good result just so the client wouldn't learn that our firm had made what could have been a costly mistake. And by the way, that isn't just a matter of non-disclosure on our part. We had lied to our biggest client – telling Atlas that we were unaware of any legal/financial opportunities open to them.

ESQUE: That's awful, Phil, but my experience with Mr. HEWGE coercing that poor old demented Mr. Dimming into executing the codicil was even worse – and Mr. HEWGE wants me to sign an affidavit in which I'd clearly have to lie about Dimming's physical and mental condition . . . . It's getting more horrible by the day. I've finally come around to the need to get out of here.

[Lights dim, then go up to reveal ESQUE standing, speaking to herself]

That Dimming fiasco, following Michael's firing, plus Phil's latest stuff, have helped me decide to resign. But for me, there's an additional reason for getting out of the firm in a hurry – something I won't even mention to Phil. [shudders] I want to be gone before Mr. HEWGE makes that inevitable second pass at me! [Lights dim and go up, and now she's seated back in her apartment with Phil]

FLECKS: It sure does look that way.

ESQUE: And I'm going to do it before they make me sign that false affidavit – which means tomorrow.

FLECKS: I can see that . . . . Still, aren't you worried about what job openings might be available on the outside?

ESQUE: I've been giving that some thought, and I have a good idea. How about you joining me, and the two of us opening our own firm – maybe we can also get Michael Maverick to come along. I've been looking into the practical issues this raises – what potential clients we would have, the costs of getting started, etc. Here's a rough business plan I've put together – let's go over it.

[Lights dim for a few seconds (to signify passage of time as they huddle over the plan) and then come up]

FLECKS: That sounds pretty good for openers. With your brains and my support, we can build a first-rate law firm, and have a good time doing it . . . . But it occurs to me that it would be best if we didn't resign at the same time. When HEWGE – uh, Mr. HEWGE learns of a budding romance between us, as well as our intention to set up a competing firm, he'll be sore as hell and is likely to paint it as some kind of conspiracy.

ESQUE: I get your point. So I'll go first – in fact, early tomorrow. Then I'll get started on organizing our new firm. You can join me in about a month from now . . . . Oh, Phil, it sounds so exciting . . . .

## SCENE 25

[The setting is HEWGE's office Thursday morning – HEWGE behind his desk, FLECKS in a pull-up chair]

HEWGE: [Holding resignation letter from Esque] And so, Ellen has resigned from the firm. Too bad . . . . I'll tell you why she did – you might as well know. For several months now, she has been trying her damndest to lure me into a romantic relationship between us. I wouldn't go along, of course, and that's the real reason she left – being rejected – no matter what she says.

FLECKS: [unsure what to say] Well -

HEWGE: – Anyway, forget what her reason was for leaving – now we have to deal with her absence, as well as the firing of Maverick. Phil, you're going to have to pick up a lot of the load. Bobby can take some, but he has his limitations, and it will take time to hire new lawyers. Let's go over the open cases and get you involved in all the right spots. . . .

### SCENE 26

[The setting is ESQUE's apartment, Thursday night, ESQUE and FLECKS are sitting (apart) on the couch.]

FLECKS: And so, that's the ridiculous story Mr. HEWGE told me about what he called the "real reason" why you resigned.

ESQUE: Unbelievable! Well, it just proves how right I was to get out of there today. Anyway, things are already starting to look good for our new firm. I've found office space, I know where to hire an experienced administrator, and Michael Maverick has shown interest in joining us. Let me fill you in on some of the details . . . .

## SCENE 27

[The setting is Phil "on the street" later that night, walking slowly home alone from Ellen's apartment, speaking aloud to himself]

- FLECKS: Well, I've arrived at the point where I'll be on my way out of the HEWGE firm a month from now. I was hoping it wouldn't have to come to this that things would somehow turn around but if anything, they've gotten worse.
  - I've seen HEWGE at his darkest firing Maverick, inventing a fictional purchaser to goose up Byre's bid, refusing to cure the Atlas screw-up so as not to admit fault. And added to that is Ellen's sickening tale of him coercing the client with dementia into naming him as the man's Executor.
  - This new woman in my life, who all along has been resisting the urge to leave, has shown her guts by quitting

- And to assuage my fear of not being able to support myself when I depart, she's come up with this worthwile idea of us forming our own firm.

Well, Phil my boy, it looks like the train is pulling out of the station . . . .

[The scene ends]

#### SCENE 28

[The setting is Phil's office Friday morning. He's alone, standing by his desk, speaking aloud to himself.]

FLECKS: It all seemed so clear just last night. Ellen and I were leaving the firm – she first and me a short time later – for a lot of good reasons. But this morning, after a mostly sleepless night and two cups of black coffee, things aren't all that clear-cut. I've just got to sit down . . . [does so] . . . and think this out.

Last night, in order to distance myself from all of HEWGE's bad stuff, I was ready to give up the comfortable salary I make here for the uncertainty of a new two-person firm with no existing clients and a batch of up-front expenses to pay before we even open our doors. This morning, that doesn't sound quite so attractive.

[Pauses for further reflection] If what Mr. HEWGE did yesterday when Ellen voluntarily resigned is any indication – bad-mouthing her as a lovesick

dame on the make – he'll have a field day with me. Like bringing up the time I spent a night in jail after being arrested during a civil rights march . . . . It's not going to be easy for Ellen and me to generate business with him poisoning the well . . .

Of course, Ellen will be unhappy if I don't follow her out. In terms of the new firm, even if Michael is willing to join, she's counting on me to make it successful. And it will probably mean the end of our budding affair, which I don't want to see happen . . . . Maybe I can convince her that it's in our mutual best interests for me to stay with the HEWGE firm . . . (*Rather coldly*) But let's face it, the world won't come to an end if Ellen and I part ways – there are lots of attractive women out there, and I've never had any trouble meeting them . . . .

[Shakes head vigorously, as if ashamed of what he's about to say] Speaking of Ellen, here's something I'm really embarassed to admit. As I lay there in bed last night thrashing around, I found myself musing that maybe what Mr. HEWGE said about her reason for leaving isn't completely unfounded . . . . Did I really consider that? Ugh . . . . It must have been in the middle of a nightmare . . . . [Questioningly] The fact is she's an attractive woman but not affluent, and he might be considered in some circles as a wealthy catch . . . . And I really don't know what happened on the night she and Mr. HEWGE went out to dinner. Maybe Ellen did come on a little strong with him after that glass of wine . . . .

[A final headshake and now he gets down to a more serious matter] Well, enough of that. I have to do what's best for me. The major reason I'm questioning my decision to resign – and I do feel it's a valid consideration – is because I now realize what a strong position I'll be in at the HEWGE firm. With both Michael and Ellen gone, no immediate replacements available, and Bobby's limitations. Mr. HEWGE really needs me to handle these big case loads. I can take advantage of that to improve my standing, make more money, and maybe even derive more satisfaction . . . .

[Pauses to ponder downside] Now, to be sure, if I stay, I'd have to play the game – flatter the man, approve the dirty tricks, prove my loyalty, etc – at least appear to drink the Kool-Aid. Will I be able to handle that? . . . [Ponders, then further rationalizes] Well, one way I can live with it is to convince myself that by staying I'd be acting as a brake on this charlatan HEWGE pursuing his worst swindles . . . . [Trying to convince himself] . . . I'd actually be rendering a public service . . . .

[He concludes soliloquy and the scene ends]

## SCENE 29

[The setting is split between FLECKS in his office and ESQUE in her apartment, speaking to each other on the telephone Friday afternoon]

- ESQUE: So, Phil, have you figured out the date when you can join me?
- FLECKS: [Doesn't reply immediately] Well, Ellen, as a matter of fact, that was something I was going to talk to you about tonight . . . .
- ESQUE: [*Alert to possible trouble*] Why wait until tonight? Is anything wrong?
- FLECKS: [Pauses, then decides to put it all on the table] Well, I've been wondering whether there may be some value for me to stick around here for a while ....
- ESQUE: [Excitedly] Wait a second! What are you saying? The deal was that we were both leaving the firm me yesterday and you a month down the road so as not to telegraph our relationship and then setting up a new firm. I did my part are you saying you might not do yours?
- FLECKS: No, no, I'm not backing out permanently. I'm just saying that it may be more prudent for me to stay put for now. It will probably take a while to build up a client base in the new firm. If I stay here, we'll at least have one continuing source of income ....
- ESQUE: [Angrily] That's crap and you know it! I can't believe you encouraged me to resign, and now you're reneging –

- FLECKS: I don't think it's fair to say I "encouraged" you to resign. You reached that decision independently of me. I just "didn't discourage" you from doing it . . . .
- ESQUE: [Exasperated] Come on, Phil, don't play vocabulary games with me. I can't do this alone, and you know it. [Breaks into tears]
- FLECKS: I realize it places a heavier burden on you to get things going. But Michael will be a big help . . . .
- ESQUE: [Becoming more emotional] But Michael is not the guy I dreamt about becoming my lifetime partner. That guy now turns out to be the one who's dumping me.
- FLECKS: No, no, Ellen, I'm not dumping you I'm just proceeding more cautiously. I value our relationship, and I want it to continue, no matter how we end up practicing law . . . . Hell, I might even be able to steer some HEWGE firm business your way . . . .

ESQUE: [Sobs] . . . Oh, damn you, Phil! . . . .

## SCENE 30

[The setting is FLECKS office, immediately following the telephone conversation with ESQUE. Alone in the room, he remains seated at his desk.

FLECKS: [Speaking aloud to himself] That was a difficult call. She clearly thinks I've deserted her.... Well, maybe I have . . . .

Ellen is a very nice woman, and I hope it will work out between us – although I can see how that may now be a little uncertain. But I have to face facts. After all I've put into slogging through law school, running up debts., beginning to establish a reputation here, learning to put up with HEWGE – my professional future has to take precedence over everything else, including this budding relationship with Ellen . . . .

[End of scene]

#### SCENE 31

[The setting is HEWGE's office the following Monday late morning – HEWGE behind his desk, having just finished a phone call, with FLECKS in the pull-up chair.]

FLECKS: I've got to say, Mr. HEWGE, that this was a truly brilliant idea you just gave Carl Crafty, which minimizes any risk of his running afoul of the IRS ....

HEWGE: [Surprised to hear this coming from Flecks] Yeah, I guess it was pretty good . . . .

FLECKS: On another subject, I've come up with what I consider an inventive excuse for us to use in case Atlas discovers that we missed the subsidy filing date.

HEWGE: Very nice – I'm anxious to hear it.

FLECKS: But first, now that we've heard the good news about Byre accepting our price, let me congratulate you on that monumental bluff you pulled in the Cellar deal. As a follow-up, here's my thought on a way we can screw Byre in the acquisition agreement – by including a few innocent-sounding but lethal words in the indemnification section . . . .

HEWGE: [Looks startled but also pleased] Now you're getting the idea of how to practice law . . . .

FLECKS: We may be more alike than you realize . . . .

## SCENE 32

[The setting is HEWGE's office the next day. HEWGE is seated behind his desk; FLECKS is standing very close, looming over him by the side of the desk]

FLECKS: [In a positive, no nonsense voice] So here's the thing. If I'm going to handle all these cases you've gotten me involved in, I will need an assistant. I suggest you go after one of those whiz kids about to graduate from law school next month.

HEWGE: Yeah, well -

- FLECKS: And with all the extra work, I'm going to need a salary increase.
- HEWGE: At some point maybe, but let's hold off on that for now . . . .
- FLECKS: [forcefully] Furthermore, my office is too goddamn small. We ought to knock down the wall between it and Ellen's old office to give me some breathing room.

HEWGE: [A little overwhelmed, starts to sputter]

FLECKS: And while we're at it, Harry – you don't mind me calling you that, do you? – I think it's time for HEWGE and FLECKS to have a little talk about making me a partner . . . .

- CURTAIN -