



THE LEOPARD'S SPOTS

ANNALS OF JUSTICE

By Steve LaCheen

Although the following tale is based upon an actual case and real clients, the denouement cannot be checked for factual accuracy; but, as someone once said, there are facts, and there is truth; and this story is a perfect exemplar of that maxim.

To continue a little further along the path of full disclosure, I must give credit where credit is due. Although I personally experienced the events described, the idea for the story came from a book of short stories written by an attorney from Chicago (I think) about 20 years ago. If I could recall his name, I would reference it in a grateful postscript, because, as I said, he deserves credit for being able to exemplify the general proposition by a specific tale without pontification. And now, I will try to do the same with a case from my own archive:

I had from the earliest days of my practice seen my role as a kind of ventriloquist whose primary function was to say for others what they would say for themselves if they had the opportunity and ability to say the things they would want to say. In truth, my clients were more often than not people whose outer shell had been pierced and saw their future spilling out, or at least leaking. In other words, they placed their lives in my hands to stop the bleeding and salvage what could be salvaged.

As so often, this story started with the post-midnight phone call from someone who had been arrested and wanted to gain release from custody. At the time, in the mid-1970s, people arrested in the suburbs and surrounding counties did not have the luxury of being taken immediately to the “Roundhouse,” where Municipal Court judges sat through the night

hearing bail applications for people arrested in Philadelphia. They remained in custody in whatever township they had been arrested until the following day when they were afforded a bail hearing before a District Justice of the Peace who, more often than not, was not a lawyer.

All I was able to glean from our brief conversation was that my client had been arrested in Reading on charges that he had bilked a prospective investor out of a large amount of money in what sounded like a Ponzi scheme; the time and place of his bail hearing the following day; and that the several thousand dollars he had on his person when he was arrested would be a sufficient retainer.

When I appeared the next day at the District Justice’s court for the bail hearing, I was ushered back to the holding cell to confer with my client prior to the hearing. I don’t remember what I expected, but I was surprised to see him, after a night in a holding cell, looking like a male model on his way to a photo shoot for GQ magazine. He was dressed “to the nines,” in a double-breasted navy blue sport jacket with gold buttons, over

white flannel slacks and patterned silk shirt, wearing tasseled patent leather loafers and no socks, which in later years I would instantly recognize as the obligatory game-wear of a “player.” To top it off, he wore in his jacket lapel a rhinestone pin in the likeness of a leopard.

The first words out his mouth were, “You’ve got to get us out of here.”

“Us?” I asked.

“My wife and I,” he said. “She was arrested with me and she’s locked up here, too, somewhere.”

I explained that I would represent them both for purposes of their initial bail hearing, but that, depending upon the evidence, there might be a conflict of interest that would require her to have independent counsel at some later time.

“Nonsense,” he said, “that will never happen. I would go to prison if that’s what it takes so she doesn’t have to; but, once we pay back the money, the charges will be dropped. That’s the way it always works. All they want is their money back.”

I started to explain why that might always be so, but thought I would better spend my time getting the information I needed to support their bail applications. In that regard, I was not thrilled to learn that my clients lived in an apartment in New York City, that he was the operator of a high-end celebrity discotheque in Manhattan called Leopard, and that she was a foreign national.

There was no time to meet with the wife before the hearing, but I was not surprised when she was escorted into the hearing room to see she was a stunning woman, dressed in the height of fashion, who spoke with the dulcet foreign-tinged tones of European society, authentic or not.

I was surprised, however, to learn from the assigned detective, that my clients had consented to being interviewed, and that, while denying any intention to defraud the complainant, they had admitted everything else, and promised to make full restitution. On that premise, the Commonwealth had no objection to bail, the amount of which was coincidentally the amount seized from the defendants at the time of their arrest.

At just about the moment that the thought hit me that my fee had just evaporated, my client addressed the court. “Your Honor, we expect to make full restitution, and when we do, we wish to have our cash bail refunded to our counsel on account of his fees.”

Wow! A client considerate enough to guarantee my fee. That was surely a first.

Following their release on bond, pending further

proceedings, my clients returned to New York.

I will skip the further chronology of this matter inasmuch as it is not integral to the essence of the story. Suffice it say that the clients became a constant presence in my life. Not a day went by without multiple phone calls, whether to ascertain what progress I was making or, more often, for him to report on his; and once a week, either he or they showed up in my office, sometimes for no discernable reason other than to take me to lunch. As the case progressed, our contacts became at least as social as they were professional, even to the extent of planning future social interaction if the case were to be resolved in a way that would so permit.

And it did. Much to my astonishment, the prosecutor actually offered to dismiss the charges on condition of full restitution and a modest fine, payable in advance. I could not fathom the basis for such leniency on the part of the

prosecutor, but was not going to question our good fortune. I received the restitution funds from the clients and, and upon exchange of releases, paid the money over. The charges were withdrawn, and the matter ended, with the understanding that we would be getting together for a celebratory night out in the near future.

“We owe you our lives,” he said; and she nodded in agreement.

I waited two weeks before making the follow-up call.

“Who is it?”

“It’s Steve.”

A momentary silence.

“Steve, you remember, your attorney,” I said jokingly.

“Oh, sure. Sorry. Hold on a sec,” he said, and then he covered the speaker with his hand; but I still heard him say, “Hon, it’s that lawyer. Will you see what he wants?”

I didn’t wait for her answer.

POSTSCRIPT

In effect, this story is written as an homage to that earlier author whose name I cannot recall and whose story is in a book I once owned but have either lost or, because I liked his writing so well, shared with someone else. In essence, I wrote this story to pass on and help preserve the sad world-truth exemplified in the short tale. It is not false modesty that requires me to offer the disclaimer that I, in re-telling what actually occurred, have not done justice to the specifics of his original, which was, I hope, the child of his imagination. ■

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