



Custody

Installation One
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Custody

1

It had become typical in 1992 that Manhattan summer Thursdays were partially rainy. The week's massive heat buildup from the city's air conditioners had changed the environment and forced the late afternoon shower upon the city. The suburbs remained sunny.

Myles Lowry greeted his visitor politely, but he was clearly troubled. Their divorce was final, and they had agreed she would never again disturb him in his office. But there was Rosalyn, right in front of him.

They were both born in 1953 and had grown up in the same New York municipality, out on Long Island. But they lived in different sections of town and did not go to the same schools. They had only met when they were in college. Myles at Columbia, Rosalyn at Barnard. After graduating, they went into separate lines of work for ten years, business and teaching, got married along the way, and had a daughter, Linda, after cementing their career paths during that decade.

They had lived through something Rosalyn said Yeats called "pyrning the gyre." Myles could only picture that allusion by imagining each one of them was the opposing vertical frame of a double helix of the DNA of their lives, wound together, periodically connected. And a little more than two years ago, Rosalyn said, like Yeats's gyre, their middle could not hold. Their relationship had spun out of control. They went through a divorce. The gensplit was not amicable. They now lived apart within the boundaries of a court order that gave Rosalyn custody.

On this fateful summer afternoon, most people in Myles's office would think, judging from her appearance, that Rosalyn had been caught in the sudden cloudburst. Myles knew better. Her hair was stringy, straight, and soaked. Her shoes were scuffed and streaked, and the liquid polish was

washed off. That she was so unkempt was embarrassing. That she was his ex-wife was mortifying. That she had him twisting in the wind was maddening.

“Roz. What are you doing here? Where’s Linda?” he managed with a quiver in his voice.

She put the question aside. “I’ve come to invite you to dinner this Sunday.” She took out a cigarette and fumbled for a match. He knew she wouldn’t have one, and carefully withdrew his lighter from his vest pocket and slid it across his wide oak desk. Rosalyn picked up the art deco Dunhill silver lighter, knowing he wouldn’t have lit the Newport for her. The lighter had belonged to her late father-in-law. She exhaled and continued, “Her birthday’s Sunday and I want her to see you. I’ll waive this month’s limit, because you’ve seen her once already.”

Her purposefully pitiable appearance forced Myles to calm what was welling up inside him. He found it humiliating to have to ask her for anything. “That’s very nice of you. What happened to my request to take her out for her birthday? Have you forgotten I asked for that last month—to have the weekend switched from the second Saturday to the fifth Sunday?”

“Vaguely. It must have slipped my mind,” was Rosalyn’s distracted response. She waved it and her exhaled smoke aside with the same lack of concern.

“You’re outrageous,” he shouted. Then he tried to settle down to a controlled fury, but his head was already throbbing. “We argued about this for two hours last month. I wasted two hours of my precious visitation time arguing and all you can do is say you remember it vaguely!” Myles was beside himself. He looked out the floor-to-ceiling window and watched a garbage scow being towed down the river.

“Myles, you should really get better at making plans and provisions.” She spoke some riddle about the past and present and future. It made little sense to him.

He knew it was no use. “I’ll be there at two.”

“No. Come at five. We may have some company at two,” said Rosalyn as she headed for the door. A smile about distant thought slid onto her face.

“Who?” Myles bristled at the thought of being toyed with so mercilessly. “A man?”

“No.”

He relaxed somewhat.

“A *gentleman*. A gentleman caller. Obviously, no one you would have any acquaintance with.” She was out the door before he could say another word. He reached for a cigarette and had nothing to light it with. Disgusted, he knew that was something else he’d have to wait until Sunday to get.

2

The intercom buzzer called him back from the window just as the barge was towed out of his line of sight, blocked by another building. “Yes?”

“Mr. Hegerman phoned to say he’s on the way back into the city, sir. He just wanted me to remind you about your appointment tonight at Roosevelt Island. He’ll meet you at the tramway by six, Manhattan side.”

“Thank you, Eleanor. Are there any other messages?” He stared at the ceiling as he listened. “Fine. I’ll see you Monday morning then. Enjoy your day off and the weekend.”

Myles Lowry took a small key from his vest pocket. Thus, he began his late afternoon ritual. He had it down to perfection after eighteen months of after-hours practice. One bourbon before leaving kept him from stopping at a local tavern on the way to his apartment. That stop, he knew, would be the end of it all. He could see the custody board now probing into his habits if he drank in public.

Bourbon in hand, the regional vice president of Easton International Medical Supplies stood watching the sunlight glisten off the wet skyscrapers and bounce back onto the waters of the Hudson River. It had been a lonely divorce. And to him, such a senseless one. Two years and a week had passed since the final papers were served. And in two days his only child would be six years old.

The sun danced into the last drops of Myles's drink. He had this job to thank for his sanity. He had it before he was married and it stood by him now, for better or for worse. Without it, he felt he might have nothing to hold on to. Soft Swiss chimes from his office grandfather clock mellowed the room. It was half past five. A family heirloom, he never put it in their home upon inheriting it. Ironically, it had originally belonged to his grandfather.

3

During the same half hour that he required to get to the Roosevelt Island Tramway, Lowry's daughter played alone in her room. She always stayed in her room when Rosalyn was not at home. Recently, when her mother was home with her gentlemen callers, Linda played on the fire escape.

Today Linda was counting boxcars and coloring pictures she had drawn of a train. From her window she could look down on one of the New Jersey freight lines for the Erie Lackawanna Railroad. She enjoyed imagining what was inside the boxcars and always pretended she had something to do with the loaded flatcars she could see.

No locomotive or caboose passed by the garden apartment, set fifty feet up the graded embankment, without Linda waving to those on board. Most didn't wave back, since her second story window was difficult to see from the sunken roadbed. Linda knew they would not see her, but she waved anyway, because it pleased her. And she was seldom disappointed that no one waved in return.

4

The orange and blue superstructure slid by underneath as Hegerman and Lowry crossed York Avenue on the tramway. They were silent, though Lowry was tensing up. He had tried to put this encounter off for two weeks. Now his time had run out.

As the tram car glided over the river, a small motorboat sidled forward in the current's swirling eddies down below. Competing whorls, spinning clockwise and counterclockwise, formed adjacent pools that urged the white and mocha craft's forward movement down the tidal estuary toward New York's upper harbor. When the boat drew near to passing under the tramway and then the bridge, Myles could see the ribbed hull also slide side-to-side, slipping off one watery ridge and into the neighboring valley—as an errant coffee ground might circulate in latte art, while being baristed from counter to table.

In Hegerman's apartment, the lawyer began fast and hard. "Myles, your time is up. I've tried to tell you before. More gradually. More systematically. But I can't now. You've made it too hard."

"Not purposefully, Ned. It's just that . . ." Myles heard his own voice trail off. He watched his friend take two steaks from the butcher's tan wrapping paper and place them on the oven grilling rack. Through it all Ned had been there.

As her husband's lawyer and friend, Ned Hegerman had seen Rosalyn Lowry and observed her. He had watched an accomplished junior high school English teacher marry, leave work, and continue to read, even more intensely.

"Ned, how the hell did this all happen? What pushed her? Who pushed her?" Myles Lowry was still searching.

"There's no way of telling, Myles. I tried to get the best psychiatrists to testify at the custody hearings. But none would stake their reputations, in court anyway, on such an abstract question: 'How capable of raising a child is this woman, who appears to be so unstable that she completely empathizes with the characters in what she reads—to the extent that she surrenders her own personality and adopts theirs in her place?'

"Good God, Myles, how many times did I put that question to one judge after another? And not one qualified doctor would state that Rosalyn's behavior was enough to indicate she was unfit as a mother. Those doctors who could see she relinquished her own personality and adopted that of some character she grew enamored of in her reading, refused to take the stand. And worse yet, none could explain what made it all happen so fast."

“Where does that leave me now?” moaned Lowry.

“In a hole. One big ugly mess of a hole. When Rosalyn first went missing with Linda, she imagined herself as a character in a plot that made you out to be selling her, your baby, and yourself to the devil. It took us a year, until Linda was more than three years old, to find them over in New Jersey. At that time—and it took another six months—the best I could do was get you six hours on one day a month for visitation for twenty-five months. During these past two years, you’ll recall, you were legally impotent to challenge custody. If you want to keep on seeing Linda, you now must renew that same agreement for another two years and a month.” He paused and that got Myles attention. “By then, Myles, Linda will be eight years old.” The lawyer sipped some wine to give his client time to think. And then, he broached the subject he most wanted to introduce. “Or . . . you could stop visiting and not ask for the extension of your monthly visitation rights.”

“What good would it do me to stop visiting?” Myles nodded and Ned poured him a second bourbon. The new ice made little noise as it sank into the brown mash and floated like an iceberg, much more under the surface than above it, just like the ramifications of Ned’s proposal.

“That makes it possible to request more frequent visits or to challenge Rosalyn’s custody all over again, with newer evidence for the court to consider.” Hegerman numbered each point on separate fingers with the long-tined serving fork.

“Would you recommend that I do that next month?”

“Next month doesn’t work anymore, Myles,” said Hegerman as he sipped his cabernet. He placed his stemware on the counter and explained. “From what you told me on the walk here from the tram, your birthday visit will be your twenty-fifth. And, what’s more, it will be your second visit in this same month. That’s a violation of the custody decree. You’ll have to file for an extension by five o’clock Monday afternoon if you want to continue visiting each month.”

Myles looked perplexed, chewed his streak, sipped his bourbon, as it slowly dawned on him. “Ned, do you suppose she’s shrewd enough to force this last visit now to upset me, or to turn the tables toward no visits for the next two years?”

“What’s she been reading?” The question fell like one of Hegerman’s subtle cross-examinations.

“What?” Lowry was puzzled.

“You heard me.” Ned’s voice was firm, but coaxing. Then he dug deeper into Myles’s mind. “Can you tell me from her visit today what she is reading now?”

A solid line of logic was developing in his lawyer’s questions. And it sparked Lowry’s memory. “She did say one thing that may be a clue. She said she was expecting a gentleman caller. If so, then what’s she reading? Might be European or . . . Oh, my God! It’s Williams. She thinks she’s the mother of that reclusive girl who has the glass animal collection.” Myles sank back into his chair and flipped his fork onto the snack table in front of him.

“Correction, gentlemen of the jury. Rosalyn *is* the astute Mrs. Wingfield. Amanda, by name. And it’s my bet that it is her plan to make your twenty-fifth visit your last.” The counsellor rested his case and drained his wine glass. Theirs was a short dinner and Ned was growing tired enough to call it a night.

Ned had always been a help. A good friend. A solid attorney. Even when the law did not strongly favor Myles’s case. Tonight, had been no exception. Myles rode the tram back across to Manhattan without him. The moonlight gleamed off the metal mast of a sloop, after it had passed under the bridge and the tram line. She was heading upriver out to Long Island Sound. Her sails were furled and unaffected by the wind. A barely perceptible wake of white foam trailed behind the vessel as she powered her way, ever so slowly against the tide.

Lowry stepped out onto Second Avenue intent on three things. Walking home. Getting to a bookstore the next day after his meetings. Reading late into Friday night and all day Saturday as if his life depended on it. He needed to finish before Sunday afternoon—what might be his last chance to see his daughter for a long time.

Linda's bed shook gently and her consciousness of the distant, rumbling, freight train gradually woke her up. This was her favorite Sunday morning thing. And today she thought it also would be her favorite birthday thing. Little did she know the true birthday surprise that awaited her.

Jeans and tee shirt fast. Down the fire escape and out onto the ground and down the embankment. The screeched hiss pushed air into her face. Each week the boxcar special waited by the apartment for about two hours. Linda had no idea that other passenger trains and service lines occupied the rails further to the south in New Jersey, making the long freight hold this position. She only knew her train was fun to meet and watch.

Box cars hinted at their histories from Maine to New Mexico. Some refrigerated, some with animal sounds coming from inside—each with its own story kept secret behind the huge sliding doors. Linda would walk along and imagine each one's tale from the outer markings: Moons. Cheshire cats. Solid oranges and yellows. Two-toned blacks and greens.

The young girl often walked along the base of the embankment for an hour or so at a time. She was protected by the shrubbery growing back away from the cinders and crushed stone from the railroad bed and edges of the right of way. She went undetected and unbothered by the railroad personnel. She was uninhibited and no one missed her from home.

Today she was going to invite them all to her party. She imagined the Cheshire cat could come with the . . . and then it happened. She had heard and read of this before. But she had never come face to face with such a person.

His hat was tattered felt. It shaded his red eyes. He had no beard to speak of. Just the shadow of one like those she colored with her gray crayon on the faces she drew in her room. He smelled like a bathroom and his one pant leg was wet from his knee to his shin. And from within it all came a blackened and yellow smile.

Linda refused to run away. After two years of mostly unanswered waving, she was not about to abandon her first train person. Linda startled

her visitor by taking his hand and showing him to her shady place to sit. He accepted it because it was secluded.

“Stay here. I’ll be back.” Her voice conveyed no danger, so he stayed.

She climbed back up the fire escape. She heard no voice from her mother’s bedroom. Linda was not surprised, as that door was usually shut until noon on Sundays. Linda raided the refrigerator and the narrow pantry closet next to it quickly and thoroughly.

He couldn’t believe his reddened eyes. She wasn’t really running along the trackside toward him with a brown paper bag, was she?

“Orange juice?” croaked his dry throat.

“Orange-pineapple. It’s really good,” chirped the birthday girl.

“What else you got there?” He poked a dirty finger at the bag.

“Donuts. Boloney. Cheese. Bread. Candy bars. Some dinner rolls and butter. And a cigarette lighter.” Her open hands held the cache innocently one item at a time as she named them and lifted them from the bag, in necessary order. She set them on the ground between where they were squatted across from each other, nestled within her hideout, in the center of the oversized rhododendron.

“A lighter?” his puzzled voice asked.

“Yes, she replied. “For your fire under your stew and your old cigar.”

“Ha. Ha. Ha. Four years on the skids and no one’s gotten to me. You take me over inside of ten minutes. You’re quite a piece of work, little girl. What’s your name?”

“Linda. And I’m six years old.” Her face shone as she added. “Today.”

“Well, happy birthday, Linda. May I have the indescribable pleasure of kissing the birthday girl?” Memories swarmed in his mind like four movie projectors running amok. Before the young girl could say anything, she found the drifter bending his head toward her small body.

"My daddy has a thin spot at the top, just like you do," Linda reached down and put her finger to his scalp. "Do you have any little girls?" she asked.

Disarmed. "Yes. Two. But I haven't seen them for many years. You see, Linda, not all daddies and mommies live together with their little girls."

"I know. My parents are divorced. My daddy's nice. I get to see him later today."

"And where is your mommy, now?"

"She's sleeping. She stays up late reading and sleeps in the morning. Do you like to read?"

"I used to. But things change—people change—sometimes."

"Oh. I know. My mommy reads a lot. She changes a lot, too."

"She changes? How? Like a magician?"

"No." She looked away to think of what to say. "Like my favorites. The box cars. It's always a boxcar. But the colors and pictures make them different."

"They're different because they do different things. And they come and go from different places. Like me."

"What do you mean, they *do* different things?"

"Well, Linda, some carry boxes from factories to stores. Uh. From where people make things to where other people buy those things. Sometimes they carry food, so the insides are big refrigerators. Others carry animals from place to place."

"Are they different on the inside?"

"Yes. Some have wooden frames. Some, like I said, have spaces to keep things solid or frozen. Those are made of metal. Some have hay on the floor. And some —

"If you took the hay out, would it have a wood floor?"

"Yes. I think so."

"And would you put boxes in then, after you took the animals out?"

"Yes. I suppose you could. Why?"

"Then I think boxcars are like my mommy. She looks the same outside. But sometimes she's coming from one place and going to another. Then she goes someplace else."

"Do you mean she goes to work?"

"No."

"I don't think I understand."

"That's okay. I'm hungry. Let's eat, okay? Do you like donuts and baloney? We should eat the donuts first and then the baloney. Breakfast. Then lunch." They fell to eating and Linda asked which of the railroad cars her new friend liked best.

"My favorites are the boxcars, too, Linda."

"Why?"

"They are drier in the rain and warmer in the winter." Yet he knew there was more to her question and that his answer was less than she needed. But he was long without practice in figuring out kids. He had been very good at it before. He used to be able to sense where to find them when they were lost, or hiding, or—.

The early morning passed tranquilly for the two new friends. So much so, that Linda and her guest were startled when the train geared up to pull out. Their two hours together just flew by. As they picked up all the wrappers and stuffed them into the bag, the drifter handed Linda back the lighter.

"Oh, no. That's yours to have."

When he protested, Linda said he should just hold onto it until he came by this way again someday.

He told her, "Okay. You have a deal, but . . ." he paused and considered her age.

"But what?" Linda asked before he could continue.

"Well, Linda, you see I've learned that what I most want to *have* are the very things I can't *hold*."

"Like what?" Linda asked.

"My two little girls."

6

Linda's scheduled guest for the late afternoon Sunday had not been so tranquil back in the New York City bookstore on Friday afternoon.

"Williams? Yeah. We've got separate plays and anthologies." The clerk, a redhead in his late teens, scrubbed clean up to his ears, was still waking up. After his afternoon shift here, he bussed tables and then balanced night club drinks on silver trays until three in the morning.

"I need a copy of *The Glass Menagerie*. Just the play. Do you have one?"

"Section four, sir. Study guides are in section five," volunteered Little Boy Clean, pointing to the countertop cardboard tray of note-making items.

"Which study guides would have some in-depth background on the character of Amanda Wingfield?" asked Myles. He used a stubby golf score-keeping pencil to jot down the names on a little square of recycled paper.

He devoured both reference books by noon Saturday while sitting on his favorite park bench overlooking the river. First, he read the background on the playwright, Tennessee Williams, and then the character study of Amanda Wingfield, the family matriarch. That afternoon and early evening he

was able to read the play itself carefully. He re-read parts that seemed the most contentious. Boat wakes swept the river and smashed the seawall in a cadenced pattern while he read. He heard in them an external accompaniment to the pace of the explosive exchanges between Mrs. Wingfield and her son, Tom, and her daughter, Laura. Myles was amazed at how uncivil the dialog was that Williams had crafted for the play.

As he read the lines of scene five, the words leapt off the page at him. The exact words his own ex-wife, Rosalyn, had spoken two days earlier, "plans and provisions." This Saturday sunset down on the shore-walk bench, Myles saw the same words that he had could not have fully appreciated up in his office during Rosalyn's Thursday rainy afternoon office visit. He grew even more apprehensive of his pending birthday visit, now less than a day away. The words had been written by Williams for Amanda. But they had morphed into what Rosalyn spoke to him: *"You're the only young man that I know of who ignores the fact that the future becomes the present, the present the past, and the past turns into everlasting regret if you don't plan for it."*

Back in his apartment, showering and shaving, Myles was glad to have spent Sunday morning re-reading notes on Amanda's character. He felt more equipped to face his former wife. That was, as long as she hadn't gotten involved in a new masterpiece since Thursday afternoon. As for his daughter, Linda, he had no idea of the surprises she would have in store for him.

7

Anticipating arriving for a birthday visit, Myles Lowry kept telling himself he might have to figure out how to act and what to do, if he could just keep himself from sweating so much. He knew Rosalyn congratulated herself when she made him nervous enough to sweat. At first it was when Linda was a newborn. Myles was all fumble-fingered when it came to changing diapers. Rosalyn started adding commentary to her teasing after they watched Laura Hutton do a 1987 television commercial for Gillette's Dry Idea antiperspirant. And she really poured it on a year later when their *au pair* was going back to Sweden and Myles was worried about the new day care for two-year-old Linda outside their home.

At the time, Rosalyn was feeling unsettled back in front of her classrooms and was somewhat post-partum depressed. She loved it when spokesperson Hutton talked about aging as an actress in Hollywood. She urged Hollywood devotees to “never try to play a character half your age.” This appealed to the drama teacher in Rosalyn, who went on to adopt the ad’s tagline as a personal mantra when it came to her riling Myles at home: “And never let them see you sweat.”

A salty drop of perspiration fell in his eye and brought Myles back to the present. He had not been allowed inside the New Jersey apartment for over a year. Neither the custody order nor Rosalyn forbade him in, but Rosalyn always orchestrated events to prevent it. On nice days, she would have Linda ready curbside for a fast pickup. On rainy or cold days, they would be in the hall downstairs, getting their mail out of the metal box. It was built right into the wall, in line with those for the other five apartments in the building. Regardless of the weather, they would also meet him there if it were bill-paying time. Rosalyn made sure they were getting the bills out of the wall box when he arrived. She had a purposefully aggravating knack of handing him the envelopes to avoid the awkwardness of greeting him in a more conventional manner. A kiss or a hug was completely out of the question.

Today he would see the inside of the apartment. Lawyer Hegerman told him to make the most of those first few glances. The books or papers most evident might give a clue to Rosalyn’s current state of mind, should he choose someday to contest her continued custody of Linda. He was concentrating so much on what he was going to do inside that Myles almost bumped into a man coming down the stairs. Moving to the side, he nearly stepped on a little girl, at first hidden behind her father’s leg.

Snapping out of his daze, Myles noticed four pink and white balloons tied to the banister and heard the little girl saying, “nice party” to the man he was about to confront as his ex-wife’s “Gentleman caller.”

Myles regrouped and got a better hold on the long, flat birthday-wrapped box under his outstretched arm. He was happy he taped the card to the top of the box. It would have slipped out of his hand had he been carrying it during the near collision. Just then, two little boys ran down the stairs past him. Some steps behind them were two young women calling to them to slow down. Their smiles turned cold when they faced Lowry. From below he heard them commenting to each other . . . “late again.”

Raising his hand to knock on the door without denting the plastic HAPPY BIRTHDAY poster with the big marionette clown face grinning at him, Myles came face-to-painted-face with Rosalyn, as the door opened unbidden. She ignored him and turned to another man, with his daughter in his arms, for whom she had just opened the door. "Thank you ever so much for pinch-hitting, Paul. I know the kids were happy that I had a helper to keep the games going smoothly . . ." She turned her eyes toward Myles and brought Paul's eyes along with hers and kept talking, ". . . while I took care of the food." Lowry couldn't decipher the disdain from the mockery in the stranger's eyes as he left, wordlessly, daughter on his hip.

Rosalyn turned and sashayed toward the kitchen, without closing the door or asking Myles in. But three steps into the apartment Myles was in far enough for Linda to see him from the living room floor. Amid the wrapping paper she had bundled to her small chest as she knelt among her new toys, her eyes looked at him sadly. She dropped the papers and hurriedly ran to her room. Across the counter separating the kitchen from the entry, Rosalyn poured a glass of wine and took a sip, all the time with her back turned to Myles. Looking out the window she gave a flirtatious wave—to whom, Myles could only imagine.

The anger he felt could only be extinguished by bourbon. So instead of the kitchen, he went to Linda's bedroom. He thought of it as a choice of self-preservation over self-destruction. What good would he be to Linda, or to himself for that matter, serving a prison term for womanslaughter, or worse?

8

Myles Lowry could not believe a person so young could sob so hard. Her entire free-standing, red, metal-frame, bunk bed shook. The teddy bears and dolls he had added to her collection over the years toppled over on their sides and onto their faces up on the top bunk. Some tilted over sideways from the violence of the tremors. He looked around first, to get his bearings. There was the train poster he sent last year. Over the top of the bunk was an oblong, wide-angle, black-and-white panorama of the famous Californian switchback, The Tehachapi Loop, 35 miles from Bakersfield. The helix was bearing no fewer than three separate freight trains making their way up and across the valley. On her closet door was one he had not seen before. It was a

Disney print. A witch, holding an apple, glaring intently at Snow White's image in the looking glass. It sent shudders up Lowry's spine.

He ducked his head down so he could sit on the lower bed next to her. He stroked her hair. Linda did not pull away, for which he was grateful. She turned to see him. "Daddy, you missed my party."

At the beginning of this trauma, two years earlier, Myles Lowry swore to himself that he would never make Linda a pawn in this divorce. For a few months afterward, before he started his one-afternoon-bourbon-in-the-office routine, Myles had begun to drink quite heavily. Back then, he evolved to promising himself he would never let Linda see how he could be manipulated. One not-so-clear-headed early evening, as the light danced in the ice cubes before pouring himself a third drink in his apartment, he confessed to himself a deeper truth—he did not want Linda to see that same manipulative power latently residing in herself, for Rosalyn to school into perfection. And yet again as time went on, in more sober and inevitably more honest moments such as this, he knew it came down to his stubborn pride. He simply did not want Linda to know how well Rosalyn could make him twist in the wind. All he said was, "Sorry, baby. But I do have a nice present we can play with together."

9

An hour and a half, a face paint cleaning, and a bottle of wine later, Rosalyn reached for a cigarette and found the matchbook empty. She wandered the apartment looking for Myles's lighter. With her unlit cigarette as a pretext, Rosalyn opened the door to Linda's room. "Is that cigarette lighter in here? I can't find it outside." Linda said nothing. Myles looked around on the floor where he sat, moved a couple of birthday presents, and without looking at Rosalyn said, "Not here."

Rosalyn stood and stared. There was Myles's coat, tossed on the top bunk, covering bears and dolls alike. Pushed across the floor and stacked by her closet door were some of the day's presents. In the cleared center of the floor was the elongated oval of train track. Around the far arc, was a silver, round-topped Santa Fe diesel pulling two box cars, a flat car, and a tanker.

Rosalyn watched until the red caboose slid under the V-shaped mountain tunnel formed by the Chutes and Ladders game board. Linda knelt at the controls, her tiny bottom sticking up into the air like another mountain in the range, with her legs jammed up against her bed. Myles sat cross-legged outside the oval, forming the last cardboard roof pieces to complete the still topless railroad station, as the big red Santa Fe caboose was rocking side to side, past his stocking feet. Linda's boxcar drawings were off the bulletin board over her desk and strewn inside the oval and on her lower bunk.

Without a word, Rosalyn retreated and closed the door, disappointed Myles did not comment on her clean face—for which she had prepared a sharp retort, now left undelivered.

Linda looked up, "Mommy doesn't like trains like we do."

"Different people like different things, honey."

"That's what my gentleman caller said this morning."

Myles almost crushed the station he was roofing. "What? What did you say sweetheart?"

"My gentleman caller today. He said people were as different as boxcars."

"Honey, I'll be right back. I have to talk to Mommy."

10

Rosalyn sat with the cigarette, lit off her stove and now burning in the plastic ashtray she got at the supermarket. There was music beating from a cassette player. In her hand was a copy of *Kramer vs Kramer*. At first, she did not acknowledge his presence, though she reached over and clicked off the music. She totally ignored his continuing to stand right beside her, let alone that he had spoken to her. "I said put the damn book down and talk to me." He gave her no time. After he grabbed the book out of her hand, he tossed it across the room into another chair. She started to get up, but he would not give any ground. Rather than touch him to steady herself, she fell back into

the chair from her half-standing position. He continued, "What have you done to her, you twisted . . ."

"Done! What have *I* done? Not a single—since you want to be profane—damn thing!"

"She's as delusional as you are. She's in there talking about *gentlemen callers*. Like you were Thursday. And while we're at it, why in the hell did you lie to me, telling me to get here at five o'clock, making sure I would miss the party? You damn near broke her heart."

"The only one around here who has broken anyone's heart is you, Myles Lowry. Breaking a grown woman's heart before she could reach her dream of becoming a principal of her own school. And leaving me with a miserable student body of one. Do you *know* how hard I worked? How much I *wanted* that? No, Myles Lowry. You didn't then and you never will. How could you? You were too busy climbing your own corporate ladder. So, you consigned me to the sliding pond. You sold your soul to Satan and that promotion and left me bearing your devil-seed. Well, you didn't get her then and we'll see to it you won't have her now."

"What does that mean?"

"It means nothing more than I said."

"Maybe you said more than you think. I'll put private detectives on your pretty little ass and on your buddy Paul's trail. I'll find you both cavorting and I'll bring that back to the court. I'll have my daughter back."

"He's a gentleman. You'll find nothing. He's a widower and I'm divorced. Or perhaps you didn't remember that either. Why don't you just get out now and leave us alone?"

"I have about two hours more and I'll not be cheated out of them."

"You try to take her out of here for dinner and I'll call the police. I'll have you locked up for kidnapping. Then you'll see who wins, Myles Lowry. You'll see who the courts believe. Me. That's who. You know why? Because you've violated our agreement by being here and if you leave with her now there's no one who won't believe your intentions were to take her from me—

against the judgment of those same courts you think will favor you. So, you might as well leave. Because I've won.

"And tell your gullible lawyer friend to keep looking for psychiatrists. Because now that I've won my girl away from you, you horrid man, I'll talk to his six-figure shrink. And you'll pay their big bucks to sit in front of a custody judge and school 'his honor' on the difference between deceit and delusion, between planning and paranoia. And that, Mr. Vice President, will cost you twice. That's the price you'll pay."

She punctuated the claim by knocking the flaccid ash off her cigarette and taking a long drag.

"And at what cost to our daughter?" Myles demanded. "Did you ever stop to add that to your little game? Or was this all about us and not about her? Well, I haven't! And we're going to spend the next two hours in her room without you. We're going to have cake and ice cream and you'd better stay out of my way."

Rosalyn was nonplused. Her response was telling, if it were properly understood. "Such an interesting choice for a last meal. You condemned yourself. I've only cursed your memory. Born in hell. That was your bargain, wasn't it?"

11

"I like to eat my cake first and then my ice cream. Vanilla's my favorite, Daddy. What about you?" Asked the happy birthday girl.

"I like to eat the ice cream first. Chocolate's my favorite." He searched for a way to begin. "Honey, I have to ask you about something. What would you say if I told you I made a mistake today? It was really a simple mistake. I counted wrong. And now I am in trouble." Myles fought back his tears.

"You mean like doing arithmetic wrong on a test?" her innocence was disarming.

"Something like that. But it was a very big test."

“Daddy, did you fail?” It was Linda’s only calculus to understand just how wrong a thing could be.

“Yes, Linda. In a way I did. And as a punishment I can’t visit you for a while.” He made sure he kept eye contact with Linda during this admission.

“Why? In first grade we could take a make-up test. Can’t you?” Linda epitomized precisely how much simplicity of vision and understanding is certainly a gift showered upon the young.

Myles Lowry set down his plate with its uneaten cake, put his face in his hands, and tried to compose himself, wanting not to hate himself. “Listen, sweetheart. I need to ask you about your birthday. But play a game with me and tell it to me backwards. Tell me what you did from when we just had our cake and ice cream, and all the way back to when you got up this morning. Please?”

“We had cake and ice cream. I drew you a picture while you were with Mommy. We played trains. I cried because you missed my party. You came late to my party when Annie and her father were leaving. We had fun at my party. Annie’s dad showed us how to play pin-the-tail-on-the-donkey. Mom gave us ice cream and cake. Mom made us hot dogs and macaroni and cheese. No, I opened my presents after the hot dogs and before the cake.” Linda paused, then added, “Going backwards is hard. I’m used to going frontwards.”

“Try, honey. You’re doing just fine. Who came to the party first?” He knew now he truly hated himself for this. On this last day, Rosalyn had stripped him of his pride.

“Annie and her dad came first. She was my best friend in first grade. We didn’t know her before school last year. But we go on picnics, and she plays on the swings with me, and I tell her all about the trains.”

“Did Annie’s daddy stay for the party?”

“He went to get Mommy things she forgot. Mostly balloons at the drug store. We played in my room while they blew up the balloons in Mommy’s room and got the decorations ready. Later he helped start and stop his cassette player with the songs for musical chairs.”

“Did Annie sleep over last night? Was she and her daddy here when you woke up today?”

“Not today. Today Mommy was asleep when I woke up. The train woke me up. Today’s Sunday. It always comes on Sunday and Mommy sleeps in. That’s why she doesn’t know about your cigarette lighter, Daddy. I’m really sorry. I didn’t know it was yours.”

“What do you mean, sweetheart?”

“I gave it away, Daddy. But I think I can get it back.”

“I don’t understand.” Myles was unsure if he was losing track or just confused, not being accustomed to talking to children much for some years.

“I gave it to him. But he said he would bring it back someday.”

“Who, Linda. Who said that?”

“My gentleman caller. Who else? You’re silly, Daddy.” Linda smiled as if they were playing a guessing game.

She looked the world of innocence to him, perched on her bed, finishing her ice cream. Linda was not tall enough yet for her head to touch the bottom of the upper bunk as she sat below it. And not old enough yet to put the dolls and the bears away and ask to have the top bunk taken down. Myles was troubled, wondering what she would look like when he saw her next. She would be eight years old Hegerman had told him. He stole a glance at his watch. He had less than a half hour left before his nine o’clock curfew.

Linda broke the silence. “Why are you looking at me like that, Daddy?”

“Like what, honey?”

“Like the teachers at school do when you still haven’t answered all their questions, even though you think you did.”

“I just don’t understand about the gentleman caller. Like your teachers, I guess I think there must be more to tell.” How could he do this without alarming her? If he only knew, he felt.

“Oh, there is, Daddy. Do you want to hear? He was so nice,” her voice took on an eagerness to share.

“Yes, sweetheart. I want to hear all about him. Please.” Myles clenched the one fist he could put behind his back out of her sight. The nails dug into his palm.

But before she was willing to divulge the story of the morning, she extracted a promise. Was this a common custom of little children, or was this from Rosalyn’s tutelage? He couldn’t tell. He had missed out on too much experience to know with confidence.

“I can tell you only if you promise not to tell anyone else. It just has to be our secret, Daddy. Okay?”

He moved closer to her bed, but stayed on the floor, careful not to knock over the train set. He took her hands in his and searched her eyes deeply. “Why?” If someone had hurt his daughter while his wife slept, he would strangle the life out of her. That would be no delusion. Then he would take Linda to Hegerman’s, get a gun somewhere, somehow, and find the bastard and shoot him dead.

Linda answered the still open question. “Because Mommy would be mad at me.”

“Well, your secrets will always be safe with me, Linda. No matter how old you get. No matter what they are. No matter if you have to use the phone or write me a note. Even if my mistakes mean I can’t visit you the same as I do now. Okay?”

“Okay.”

“So, tell me your secret, honey. Come here and sit on my lap. We’ll turn the train back on and watch it go around slowly while you tell me.” Lowry wanted them to have something else to look at if they couldn’t look at each other as they went along.

Nestled against her father, in the safety of his embrace, Linda told her secret. “On Sundays I know Mommy sleeps late. When the train comes, it stops. It’s not dangerous. Really. I only go down after it stops, and I leave before it goes. The trains are so long the engineer up front and the conductor

in the caboose can't see me. It's like in the picture books you gave me and the poster up there on my wall. I always wave from my window. They can't see me. Nobody waves back.

"But on Sundays I walk along, and I have a shady bush I hide in and I watch the train. I dream of where the boxcars come from and where they will go. I didn't know about names until school this year. We see maps on The Weather Channel. That's where I see the names. Vermont. Santa Fe. Baltimore. Pennsylvania.

"And for the very first time today—I thought it was special because of my birthday—a train man was here. Your book called them hobos and bums. But I think he was nice. So, I used Mom's name—gentleman caller. It sounds nicer. And we had a party in the bushes."

"You what?" His heart leapt so badly he almost shouted. Linda stiffened, thinking herself in trouble. He calmed himself against all instincts to lash out and destroy something. A wall. A lamp. An empty bottle of bourbon. Someone's skull. It didn't matter.

"Don't tell, Daddy. You promised!"

"I know. I know, honey. I won't. But you have to tell me. Okay?"

"I will. It's our secret. Remember?" She patted him on the arm. "I showed him my hiding place and told him to wait. I came back home. I got baloney and cheese, some candy and donuts, and some rolls and butter. And your cigarette lighter. But I didn't know it was yours, Daddy. Honest, I didn't." She looked up at him with uncertain eyes.

"That's all right. Please tell me about your party together." Myles could hardly control himself, but he felt there was too much on the line not to do so.

"We talked about boxcars. They were his favorite, too. First, we had the donuts. Then we had the baloney and cheese. I told him we had to have breakfast first and then lunch, even though we ate them right after one another. We saved the candy bars for after."

"For after what, sweetheart?" Myles could hardly contain his anxiety. But he restrained himself so Linda wouldn't feel any of it, lest she stop talking.

“For after we talked more about the boxcars and little girls. He’s divorced, too, Daddy. And he has a bald spot on top like yours. I saw it when he bent down to kiss me.”

“When he did what?” Myles forced back what little of his cake and ice cream he ate. They were now surging up his gullet.

“Daddy, you’re squeezing my arm. It hurts.” There was surprise in her voice and a little pain.

“I’m sorry, baby. Linda. Did he kiss you when you were in the bushes?”

“Yes.”

“When?”

“When I told him it was my birthday.”

“What did he say?”

“He said funny words I didn’t understand when he asked to kiss me.”

“Honey. Can you remember the words. Please try to.”

“He said it was an ‘indescribable pleasure.’ But I don’t know what he meant.” Linda looked back behind herself and up at him from his lap. She had never seen her father, nor any adult for that matter, have such a look on their face.

Myles Lowry rocked his six-year-old in his arms and tears streamed down his face. When his daughter moved her head away even more, to get a better look at his face, he gently pressed her head to his shoulder. She did not struggle against his embrace. He just rocked her and cried silently. He prayed to a god he’d long ignored, and sought the solace of that light, amid every parent’s worst nightmare. Emotions of vengeance and murder raged in the soul he thought he’d lost. He glanced in her direction and his eyes caught his wristwatch. He had but seven minutes left. The sweep hand galvanized his nerve.

“Sweetheart, can you do something very important for Daddy?” he asked as he moved her away to look into her eyes.

"What, Daddy?"

"Can you show me how your gentleman caller kissed you today. Pretend I am you and you are him. Can you do that for me, Linda. Please?"

She moved off his lap and stood by his side. He had his hands on his thighs. She picked up his hands exposing his lap. His heart clutched and skipped at the same time. It ached. Physically hurt.

Her voice mimicked her morning companion's, as she repeated his very words. "May I have the indescribable pleasure of kissing the birthday girl?"

As she spoke, Linda started to lower her head toward her father's lap. Myles bit his lip so hard it almost bled, while tears continued to drip off his cheek. His daughter's lips ever so fleetingly touched the back of his hand. She raised her head and looked at her father. "Like that," was all she said.

Myles Lowry shuddered. He tried to blink away his tears. But they wouldn't stop. They came on even harder than when he fought them. The well that they sprung from was too deep, untapped for too many years.

"What's the matter, Daddy?" Linda pleaded.

He brought her head back in against his shoulder and held her gently, entwining his fingertips in her soft hair. He opened his mouth to exhale and took his hand away only to use the back of his wrist to stem his running nose. He inhaled through his mouth, blew air back out through his nose, and dabbed the tears from his cheeks and eyes. All the while he held Linda across her back with his other arm and gently rocked them both on the lower bunk, in his seated embrace.

"Daddy, are you okay? I didn't make you mad about your lighter, did I? I thought he needed it for his stew pot and his cigar, like in the book you gave me."

"No, honey. Not at all. I'm sure he could use it more than I could. It's better for him to have it. You were very generous, sweetheart."

"Mommy calls it . . . *hospitality*." Her voice was confident again.

"Your Mommy's right." Myles was regaining his equilibrium as well.

"But still don't tell my secret, because Mommy's hospitality is always at home. And I'm not allowed past the fence to the tracks. Remember, you promised to keep it secret." She was very firm for a six-year-old.

"And I will, honey. And you do, too. I just want to hold you for these last three minutes before my visit is over. I want you to know that I love you, even though I can't be visiting." He sounded like what he imagined Linda was accustomed to hearing most of her friends' parents sounding like.

"I know, Daddy. My friend says he misses his two little girls, too. He said he's been riding trains for a long time. He said maybe he'd come back this way and give me back your lighter. I told him he could have it. But he said he would just hold on to it for a while. He said trains taught him he couldn't hold the things he wanted most to have. But he wasn't talking about your lighter, Daddy." Linda tried to make her voice sound grown up, like one of her teachers talking.

"How do you know that, sweetheart?" his voice was even and suitably conversational.

"I didn't understand, so I asked him, 'Like what?'"

"And what did he say to that, honey?"

"He said. 'My two little girls.' Does that make sense, Daddy?"

"Yes, my sweetheart. It certainly does. And I know. Because your daddy feels the same way about you."

12

The knock on the door was loud and obtrusive. Her voice came through the door like a freight train. "It's time!"

Myles set his daughter at arm's length. He looked her over from head to toe. He drew her in and gave her a hug big enough to last a lifetime.

Because it might need to. He told her to sit on the floor and play with the train set while he put on his coat.

“I love you, sweetheart. Please remember that always. Especially when you play with your trains. I hope you like them, honey.”

She stood up and kissed him on the cheek. “Oh, I do. And I can use some of my birthday money to buy more pieces of track. You know why, Daddy?”

“Why, sweetie?”

“Because trains aren’t just for going around and around in circles. They start where you get on. But they always bring you to something new.”

“Let me guess who told you that.” Myles smiled as he said it.

“Don’t say it out loud, Daddy. It’s our secret, remember?”

“Yes, Honey. I’ll always remember.”

“I love you, Daddy.”

Myles Lowry beat Attorney Hegerman to his office Monday morning. He was offered a cup of hot coffee in a Styrofoam cup and a morning bakery item on a paper plate in the refreshment nook, where employees left him alone and forsook their customary gathering spot for their desks and cubicles. The nook had a view out toward Brooklyn, depending on where a person stood or sat here on the lower East Side. There were two square tables, four-seaters, on a slate grey, tiled floor. Six unattached, high-top stools that addressed a ceramic-topped, side-mounted counter could also be spun around to face the room. A mated pair of wall sconces made of polished chrome that matched the stools lit the counter directly below with soft white spotlights. Two double-tube, recessed, fluorescent light trays set in the drop ceiling grid usually lit the entire space. This morning, only the spots were on. The sunshine through the window was sufficient to illuminate the room.

A wall opposite the counter separated the nook from the adjacent mini-kitchen with its twin coffee makers; a pair of dorm-sized refrigerators, one below and one set up on the counter; an under-the-cabinet microwave; and a corner-tucked, tall water cooler with its side mounted tube to hold a sleeve of flat-bottomed, pleated, single-mouthful paper cups.

No one felt authorized to let Myles into Hegerman's office unaccompanied before the lawyer arrived. Who was to know what papers for his case, or someone else's for that matter, were vulnerable to casual or purposeful perusal. No one who wanted a job by noontime. Hegerman was kind to friends and clients. He was ultra-protective of their privacy. But he also was very controlling about their own cases and what he revealed to them, and when.

Lowry could read the plastic-framed motivational posters on the divider wall between the nook and kitchen from his chair. But he needed to stand closer to read the variety of office and employee paper bulletins, neatly arranged and thumbtacked to avoid any of them overlapping on the wall corkboard.

Myles was on his second cup of coffee and had finished the French cruller follow-up to his cheese Danish. His fingers were too sticky now for a plain paper napkin, so he was getting up again to wash his hands with soap in the kitchen sink when a pretty, young woman in a tan, mid-thigh length skirt and a barely opaque white blouse came and stood in front of him. "Are you Myles?" she asked. To his nod and awkward sugar-fingered inability to shake hands she said, "Mr. Hegerman is almost here and sent me to ask you to accompany me to a conference room near his office. You can leave your coffee here. I'll take care of it. There's a freshly brewed urn on the sideboard where we're going."

"May I just get this sugar off my hands before we go, please?" he said as he made a move toward the kitchen. She stepped aside and then went to clear the table of his plate and cup and napkin, which she dropped into the waste basket in the kitchen. She ran water over her fingertips and shook them dry over the sink while he dried his hands with some paper towel. Just picking up a napkin from the countertop supply next to the coffee maker was enough to dry hers, and when she dropped it in, the napkin topped off everything else they had placed in the waste bin.

Lowry made sure he walked more next to her than fully behind her. He did not want it to seem he was watching her as she walked down the corridor and across the carpeted and cubicled back-office floor. He was still slightly unnerved by her blouse and did not want to add any more distractions from his concentration on the morning's task at hand.

"May I give you anything with your coffee, Myles?" She placed the blue cup and saucer bearing the law firm's logo onto the table, right beside the portfolio he had set in front of himself as he sat in the chair that she had drawn out from the table for him. "I saw you had it black in the nook, but I ask anyway. Mr. Hegerman would not want me to presume anything of a client, especially one who is a friend." Myles could not identify the lilt of her voice as western or central African, first or second generation. Her braided hair shaped to her head nicely. Her skin was just a little darker than her tan skirt and again he saw that she was also shaped nicely beneath her blouse. Her eyes and smile looked confident and eager to please, but not subservient in the least. In her russet, stylishly flat shoes, she looked to be only an inch or two shorter than he was, so it would likely be they might look eye-to-eye.

"No, thank you very much. I'll just review some of the papers I brought along while I wait." He did not know of a more polite way to ask to be left on his own. She nodded and left him on his own, as she saw clearly was his desire.

After a sip of coffee, Myles stood up and removed his suit jacket. He needed to be dressed for court, if it came to that later in the day. But he wanted to relax some for now. He unlinked his cuffs and folded each sleeve up two turns. He placed the links into his vest pockets, one in each. They were empty otherwise, so they stayed fairly flat. He loosened his tie, but only slightly. He sat again. He decided to re-read the court papers from the divorce that spoke to his rights of visitation.

He made notes on a lined pad as he read.

Bullet points more than sentences. Like he would do on the relatively new PowerPoint programs they were using for presentations back at work:

- The divorce was final
- She was to have full custody other than his visitation rights
- He was to have no more than one visit per month
- Each to be no longer than six hours, between 9 am and 9 pm
- For a period of time not to exceed twenty-five months
- During which time the terms of his visitation rights could not be changed
- During which time her rights of custody could not be challenged
- At the end of which time the court could be petitioned to extend the visitation agreement for one additional twenty-five-month period, with identical visitation terms
- Challenge to her rights of custody could only be made if the visitation agreement was not extended or was violated
- Only one custody challenge could be made annually thereafter

14

Hegerman's voice preceded his appearance, as the door blocked Myles' view from his seat at the table. "Good morning, Myles." Did you get any sleep last night?"

Following behind his lawyer was the same woman he had sent to assist Lowry in his absence. She made her way across to the sideboard behind Myles and poured a coffee, put in some cream and sugar, gave it a stir, and then set it next to Hegerman, who had taken the seat directly across from

his client. It looked as if she was leaving, but she closed the door and stood at the head of the conference table. She had on the same tan skirt, but now she wore a taupe jacket to complete her business suit. There was very little of her blouse showing, at the neckline, and nothing at her breasts. What Myles saw most was that she wore a brilliant smile beneath her lightened cheeks and above her rounded jawline and chin.

“Myles, this is Karidja Soro. She has worked here for three years in the associate lawyers’ pool. She grew up in Ivory Coast and came to New York as an exchange student seven years ago for post graduate work at Columbia Law. She stayed after graduation. Her specialty is international dispute resolution. She is going to assist me on your case, because while she interned Karidja prepared most of the preliminary and settlement documents for me pertaining to your divorce and custody cases. I consider her invaluable and very trustworthy.” Hegerman smiled at Karidja and then looked back at Lowry. “And she has consented to join in on the case after meeting you this morning. She told me you were a perfect gentleman to her.” Again, the attorney looked at Karidja, who gave a slight nod. “Myles, this pleased her. You see, we made a deal, she and I. She could choose not to help on the case if she did not care for the way you treated her without knowing who she was. It is not how some other clients and lawyers in the courthouse have seen fit to comport themselves in her company.”

Myles stood and started walking slowly. Hegerman was uncertain if he was heading for the door or the head of the table. He was relieved to see Myles go over to Karidja’s side and speak, “Now that I’m not sticky with donut sugar, may I shake your hand?” They did. “I hope you won’t be disappointed that my situation doesn’t rise to the level of being an international dispute.”

Her answer was stunningly warm. “It is the situation of your entire personal world, Myles. I’d say that’s as important as it gets.” Her reply would turn out to be hauntingly predictive. They each sat back down to the business at hand.

“What have you got there, Myles?” asked his lawyer.

“What we’d call ‘talking points’ sometimes, or ‘product features’ at others, over at my place of work.” It was all he could think of to make sure he didn’t seem to be telling them how to proceed with the challenge of the day. “It’s all boiled down to a ten-point list. What I think I understand of the divorce and custody agreements.”

“Well, please slide that paper over to Karidja, first. She’ll send it my way after she’s had a look at it.” The paper made the circuit from each to the other. Karidja penciled in a short note on the back of the sheet and passed it on to Hegerman, face down. He read it and then spoke. “It’s a pretty good summary. From your standpoint. I’m glad you’re organizing these, so you’re focused. I don’t want you to be all over the place with your thoughts. And I have to make sure you are thinking rationally and not getting too emotional right yet.”

“Right yet?” was all Myles could say. He looked at them both.

“Disputes tend to get heated, Myles,” said Karidja. “And heat is not an ingredient in successful resolution unless you’re cooking dinner.” She smiled.

Hegerman took a moment for her comment to sink in. Then he built on it. “If we get in front of a judge this afternoon—and there’s still not a guarantee we will—cool heads and calm nerves are going to have to prevail. Judges in custody cases tend to extrapolate courtroom demeanor, which they know signifies behavior under stress. I’ve seen husbands and fathers lose appeals solely because the bench looks down on displays of anger or temper at these hearings as predictive of the same traits recurring in dealing with wives and children.” Ned paused, then added, “That’s why wives and mothers hire lawyers who purposefully provoke their adversaries at these hearings.”

“Are they judges or referees?” asked Lowry. “Aren’t there rules they have to follow, too?”

“Myles,” said Karidja. “Do you watch football?”

“Yes, I’m a New York Giants fan.”

“Oh, no. Excuse me. I mean what you call ‘soccer.’”

“No, it’s too slow and low scoring for my liking. I can’t watch a nothing-nothing tie after ninety minutes. Drives me crazy.” He saw his coffee cup was empty. He stood to get a refill.

“Nil,” was all the woman said, as he had his back turned to her. Hegerman was enjoying this. He stayed silent.

Myles thought he missed something while facing the sideboard. “What? I didn’t catch that?” Lowry looked from one to the other.

“In my football we call it ‘nil.’ Today, you’ll need to be aware of what the terms mean when Rosalyn’s lawyer uses them, and the significant words the judge says. You must be patient. Think of my football and not yours.” She waited and then went on when Hegerman didn’t interrupt. “I’m going to give you an idea, a soccer image, to keep in mind today, Myles. Trust me, it will help.” He sat down and paid attention. “Just this last January my home country’s team, the Elephants, won the Africa Cup of Nations. It’s what you call here in America, ‘a big deal.’ The championship game was against Ghana. Regulation time ended in a scoreless tie. At that point, the rules changed. Now instead of eleven-player teams against eleven-player teams using the whole pitch, the game—the championship—was going to be decided on penalty kicks. One man alone, against the other team’s goalie. Each team had an alternating chance to score a goal from close-up, on the penalty line. No defenders and nobody to help the kicker. He was on his own. And the odds are really in the goalie’s favor. It’s the best out of five turns each, a new player for each kick. And then one extra alternating turn if it’s still tied. It goes until one team gets just one more score than the other. Then the winner is declared. The losing crowd goes dead silent. And the winning fans go crazy. Shouting GOAL!! And OLE! OLE! OLE! OLE!”

She waited and both men looked at her. “Our team, the Cote D’Ivoire Elephants, won 11 penalty kick goals to 10.”

Karidja went on, “Myles. That’s what you have to keep in mind today. If time runs out and no one has decisively won, you will find yourself back on your heels, on the penalty line. Alone. We will not be able to assist you. And Rosalyn’s lawyer will provide her with no defense. It will be you and the judge. For every question he asks you, you must provide an answer of substance. Your answer must lead the judge to accept that answer as satisfactory, and then he will go on to ask you yet again another. You must

listen carefully. You must answer truthfully and convincingly. Each time you will have to volley a scoring reply. You must be patient. You must not get emotional. You must answer only the question asked. Do not wander or meander. Be direct and respectful. At last, he will make an inquiry that is not based on fact. It will call for you to make a supposition about what he wants to hear, what he needs to hear you say. And if you can give that answer, when you give that answer, the judge will find in your favor. If you miss the goal, Linda will be Rosalyn's until she is eighteen years old, and you may well be barred from seeing her until that time." She paused for him to take it in.

And then she drove home her final point. "That is over a decade away, Myles, so get yourself ready. Please. Because on top of the emotional price losing will extract from you, you will have to add one hundred and forty-four months of child support payments." Karidja said no more.

She looked over at Hegerman, who pursed his lips and slightly nodded at her, to signal she had done well. The lawyer and mentor in him marveled at Karidja's elegant initiation of the day. This was preparation for conflict resolution at its best. She had made clear to Myles what was at stake. She seized his undivided attention. And she gave him a goal to keep in mind, one with a reminder that was graphic enough, yet simple to remember. Hegerman had thought he was right to bring her in on this case. Now he knew he was.

16

A little earlier back in New Jersey, Linda recalled her birthday party and stirred in her bed. But as she sleepily looked around her room, her presents, including the railroad oval on the floor, were nowhere to be seen. She barefooted out into the hallway to see if her mother's door was closed. It was not. The bed was made. And two suitcases were arranged and opened on the side by the closet. Her mother's was packed to the brim. Linda saw her own was halfway filled with her favorite clothes. Many of them were in the laundry just the night before when she was getting tucked into bed, and her mother strangely warned her not to let the bed bugs bite. Now her clothes were cleaned and folded neatly and packed. Linda headed for the kitchen, and breakfast.

All her mother said was, "Is sleepy head ready for an adventure?"

"Where are we off to, Mommy?" Linda was excited. She thought of Dorothy and Toto.

"We're off to be our own person." Rosalyn liked the sound of that.

"Why, Mommy?" Now Linda was not so sure. There were those witches and wizards and tornados and poppy fields out beyond the farm.

"Because a woman has to be her own person." And that was that.

17

Hegerman took over. "We're going to look at your list next, Myles. But first, let's take a break here before we get started in. Use the rest room. Get a fresh coffee, or hot cocoa, or water. I'll check to see if we've heard from the court clerk. Miss Soro, would you please make us each a copy of Myles' list while we stretch?" He handed her back the list, face down. Out of Myles' earshot he told her, "You keep this one, with your note."

Karidja took the paper. An unwelcome feeling came over her that Hegerman was more than tired, he seemed almost, and uncommonly, weary.

18

Rosalyn's attorney, Godfrey Mellon, had been unable to reach her by phone. So, he dispatched his nearest available independent investigator, who had been hired days before to track down an out-of-state unemployment scammer. That's where he was this morning when Mellon had him re-directed a few towns over to Rosalyn's New Jersey apartment. The attorney had not heard back from her, as he had requested, after Myles visited the prior evening. Whether his client forgot to call his service, had an unexpected outcome from the visit, or was in danger, he wanted to know. He also had been unable to confirm where Myles was this Monday mid-morning. And that added to his concern. Then in the late morning, the investigator called and

said he had been unable to get an answer at Rosalyn's apartment, by phone or doorbell. None of her neighbors had any reliable word about where Rosalyn might be, nor where the mother and daughter may have gone.

Reviewing his notes, Attorney Mellon had ascertained the name of a friend of hers, by a first name only, Paul. Reading further down in the case notes revealed Paul had a classmate daughter of Linda's, Annie. His call to the school yielded the information that Linda was not in school that morning. Then his emergency call to the school district produced their last name—Meadows—an address, and phone number. Now, at the start of his lunch break, Paul Meadows pulled up in front of Rosalyn's apartment to meet the investigator. Meadows used the apartment key Rosalyn had entrusted to him some weeks before. Both men entered the empty apartment.

The investigator called in using the kitchen wall phone. "Attorney Mellon please. No, the son, not the father." There was a pause and a breathless "yes?" on the other end. "Sir, this is investigator Hart. I met the boyfr . . . acquaintance. He had a key." Hart paused. "No, sir, your client gave it to him last month." Another pause. "He says it's to let the daughter in if he picks her up at school when your client is not around to do it. It replaced the one she gave him for the same reason when the kids were in first grade last school year. Mrs. Lowry just recently changed the locks, he said. She told him she didn't trust the landlord not to let her husband in the apartment."

Hart waited again and listened to Attorney Godfrey Mellon's question. "Best as I can ascertain, quite a few times, sir. His daughter and the girl play in the apartment, and he waits for the mother to return. Sometimes she's late and he gets takeout for the four of them to eat for dinner."

Hart had to hold the phone back away from his ear as Mellon almost screamed, cursing into the phone. "No, sir. I thought that would be indelicate of me to ask. And he didn't volunteer anything about overnights, including last night." A pause. "Yes, sir. The apartment's neatly in order. He says it's cleaned up from yesterday's party. He said he'd come back after school today and lock up again if I needed to stay. After he left, I looked around. There are some empty drawers and empty closet hangers, sir. And an old airline luggage tag, years old, no destination, in the master bathroom trash can—" He took a minute to look around in reply to a question. "No garbage in the kitchen or the bedrooms. Nothing in the dishwasher. No notes or phone

numbers on the counter or bulletin board in the kitchen. No pressure imprints on the blank page on the top of the pad by the telephone.”

“Yes, sir. I’ll stay and let your office know right away if they return. And I’ll check with the friend when he comes back to lock up, in case he’s heard from her. After he locks up, I’ll watch from outside in my car.”

Investigator Hart did not prefer working with the son. He had none of his father’s class. But at 63, regardless that he was still fit and agile, Danny Hart didn’t have enough new clients to turn away the old-timers. He walked over to the couch to wait, without touching anything more in the kitchen or refrigerator. Which was unfortunate since he was going to miss lunch looking for Rosalyn and Linda Lowry in what had been their home. Too bad, too. That leftover birthday cake he saw in the fridge when he opened it with his handkerchief-in-hand looked pretty good.

19

Hegerman reconvened the three of them in the same conference room. Stenographer Gabriella Costa joined them at the foot of the table for expediency. This gave her full view of all three of the conferees, so she would know who spoke and so she had a clear path to hear what was said. “Did you both use the takeout menu I had Gaby give you?” They both nodded. “We’ll work through lunch here so we’re ready when the court clerk calls. I talked to her while we were on break, and she says that we should be ready to be at court by 2:45, just in case. That means we leave here no later than 2:00. The judge is aware any filings must be made by 5:00. And it takes a half hour to get from court to the filing office. The judge has alerted the filing office to be ready for a late day application.”

“Will that be enough time?” worried Myles.

“It’s eleven, so that gives us three hours now to prepare. I’ll let you know at 5:15 if we succeeded,” smiled Hegerman.

Karidja remained silent. She passed out Myles’ list to each of the other three around the table. She kept a copy for herself and the original, which she had turned face down to make it look like any other note paper.

“The first five points are pretty straightforward facts. Please read them over and see if you think we need to spend any time on them.” Hegerman was wasting no time on niceties. Everyone was fine with the first five stipulations. Gaby so noted that in her transcript.

“Okay the next three are timely. They seem to be where we are today, based on last night’s activity. Please read the first one, which is sixth on the list.” They did and then looked up. “Does anyone want to comment on visitation rights not being changed?” They each looked down and even more carefully read the sixth item: *During which time the terms of his visitation rights could not be changed.*

Myles spoke. “It seems to me that if the terms can’t be changed, then I did a wrong thing. I visited twice in a month. But I don’t quite understand today’s five o’clock filing deadline in this regard.”

Karidja answered this time to keep Hegerman on just the legal content of the matters to consider and file. The attorney seemed pleased for that. “Today is the 31st of the month. The 30th was the day you made your second visit of the month. But it was a Sunday, so we are hoping for you that the court will allow the filing deadline to drop back one day—to today. It’s not a sure thing. But we must be ready.”

“And ready we will be. Thank you, Karidja,” proclaimed Hegerman.

He continued. “So, we will push for the interpretation that nothing automatically occurred in the terms of your visitation rights yesterday, because you were still within your twenty-fifth month, as you are today. It’s a little tricky. Rosalyn’s lawyer, Godfrey Mellon, is very good. And persuasive. He will look to the language of violation of the terms in the visitation agreement, and say you voided the agreement prior to the time you could seek the court’s decision to consider it for renewal. Frankly, I’d do exactly the same if I were him.

“But we will contend that it is precisely because the time was still current that no change in the visitation rights could have occurred.” Ned looked around. No one had a question. He thought he’d go on.

“Likewise, at no time prior to the end of the 25 months are you, Myles, able challenge her rights of custody. You can only begin to do that tomorrow, unless we petition this afternoon for the court to continue the current agreement of custody and visitation, until the end of September 1994. Are we all good with that?” Ned searched their faces. He even checked with Gaby, the stenographer, to make sure she had it down all correctly. “The hope is that we can focus so much attention on the petition continuing and that the question of this misstep of the last visit will be either overlooked, or just set aside as an insignificant issue. A moot point, as the law would call it.”

Myles asked, “So the next point on my list is also not automatic? We must petition the court in a few hours to continue the *status quo*?” Tacit confirmation came from Hegerman and Soro. Miss Costa did not look up to face him. “Are we ready to do that? I mean, with all the right papers, and such?”

Karidja spoke up. “Myles, Mr. Hegerman has made the papers my job to prepare. You should be confident that they will be ready as you need them. In fact, it’s customary for lawyers to anticipate an action and to have documents ready for timely dating and signatures to avoid delays. Certainly, changes may have to be made, but often they take much less time than starting from scratch.” She smiled at him, waited a moment, and spoke again.

“But, Myles, you have a job, too. It’s one that only you can do. And it is the initiating task in all of this. You must tell us if that is what you want—to extend the current situation. Not because it seems to be the best strategy to avoid penalties from last night’s visit. No. But because you want Linda to remain in Rosalyn’s home for another two years, until she is going into the fourth grade—with you continuing to see her only once a month, for six hours.”

It was easy in the conference room swivel chair for Lowry to turn from the woman he had met just a couple of hours earlier and seek out instead the face of the attorney he had known since before he met and married Rosalyn and they had brought Linda into the world. But he found no more succor there than he did in Karidja’s kind face. Lowry spoke to the room-at-large. “So, this is what a conflict resolution specialist does, huh?”

“We don’t resolve the conflict, Myles. We just make it more likely that the contentious parties see their way to choices that foster a resolution.”

Her eyes were kinder than Lowry realized earlier when he first noticed her clothing, then her body, then her smile. He shook his head and looked down at his hands, spread and resting on the table in front of him. All the papers and copies, the files between his hands, all the facts and figures, the letters and pleas to the court, the character references . . . these all had been to convince others to make decisions. "Review for me my other options and choices again, please Ned." Karidja did not feel slighted.

"Well, Myles, your second-to-last point on your 'top ten list,' as you called it, gives you that answer. In your own summary, '*challenge to Rosalyn's rights of custody can only be made if the visitation agreement is not extended or if it was violated.*'" Hegerman waited patiently as Myles pushed a few papers around to look at his list again. The lawyer knew this familiar pose: what he often told his interns and mentees was 'the portrait of a client at a crossroads.'

Lowry neatened the sheaf, gazed at Gaby Costa, looked across the table a moment at Ned Hegerman, and finally rolled his chair out from the table a bit, swiveled it, exhaled, and came eye-to-eye with this newcomer to his life. "Okay, Ms. Soro. I am ready to resolve this. I will not petition the court to extend the *status quo* before the close of business for the court and filing clerk today. I will challenge the custody decision of two years ago, as soon as we can, based on my experience of these last twenty-five months. And, if I understand it properly, once I do that, yesterday's visit becomes meaningless as a violation, or not. And I have just this one chance today to do so. And if a court decides against me, I must wait another year to challenge again. A year in which I will not see my daughter."

"That is close enough to describe your current situation—"

"Good. Then let's get on with it, please." Myles was momentarily energized and confident.

"—but that only describes *your* situation, Myles, because—"

"Wait. What now." His confidence would have gone out the window if it hadn't been closed for the air conditioning on this August Monday morning. "If there's something else you haven't told me, I want to know—before I'm sure what I should do."

Gaby Costa was recording it all at her end of the conference table. The sound of her keystrokes finishing the last statements were alternatively an undercurrent of a silence in the room, or drowned out by the continued exchange of words, and perhaps, ideas. What struck her the most was realizing she was not accustomed to Ned Hegerman relinquishing so much control over to another member of the firm.

Karidja waited for Myles to center himself and for Ned Hegerman to seem satisfied she could continue. “In conflict resolution, words are important. Sometimes translations from one culture or tongue or dialect to another can upset what had been a perceived agreement moments before the translator committed words to a page to be read by the conflicting parties in their own language. These can be life and death situations, emotionally or existentially.” She paused a moment for this to sink in.

“In our case today, the language is still essential to understand from each party’s point of view. Mr. Hegerman will try to convince the court to interpret your agreements from your point of view and to your benefit. But Attorney Mellon will be making an equally passionate effort to persuade the bench to see the exact same words from Rosalyn’s point of view and to her benefit.”

She paused again. The men at the table nodded to show they understood, but she doubted either grasped the complexity she was portraying, even though she had warned Hegerman with her penciled remarks on the back of Myles’ original list. She looked down at those words now on the page before her: “Works both ways.” Then she went on.

“Let me demonstrate. Please read your ninth bullet point quietly and slowly, to yourself, Myles.” By looking at her boss, Karidja invited Ned to do the same. She snuck a glimpse down the table and noticed Gabriella Costa could not resist doing the same with her copy. Karidja Soro realized she was gaining the room, an essential prerequisite for an effective resolutionist.

“Okay, now we already agreed that from our—Myles’—point of view, this statement means Mr. Lowry can decide not to extend the visitation agreement as a prerequisite to raising a challenge to Mrs. Lowry’s primary custody of their daughter, Linda.” She paused. “That’s agreed upon by all in this room, right?” Tacit nods affirmed the proposition.

“Okay, what I am trained to understand—and that which I am interested now in having you see, too—is that Attorney Mellon, on behalf of Rosalyn, can have another, and an equally valid, interpretation. And this is it: This statement means that since Mr. Lowry has violated the agreement by visiting last evening, the second visit in a single month, Mrs. Lowry has a right to raise, for the court’s consideration, a challenge to the custody agreement of two years ago. And since, Mr. Lowry has shown that he is capable of not honoring the visitation rights portion of the custody agreement, going forward not only should Mrs. Lowry retain full custody of their daughter, Linda, but that Mr. Lowry should be denied all visitation rights. Furthermore, the challenge to the custody agreement should extend past the twenty-five-month framework, now voided, and last as long as the court should decide is suitable. And he will most likely suggest for as long as she is a minor. In New York, that would be until Linda’s 18th birthday.”

Myles Lowry was flabbergasted. Gabriella Costa almost couldn’t get it all down, her mind was swirling so. Ned Hegerman wished it was fishing season—somewhere away from here, and that he was equipped with all the worms crawling out of the can lying on its side on the table in front of Karidja Soro.

The resolutionist saw the clock on the conference room wall showed it was almost noontime. The lunches would soon be delivered. She wondered if anyone would be able to swallow.

20

“What the heck is this, Ned?” Lowry’s anger came to hunt. “Why did you bring her here anyway? Weren’t we doing just fine before?” And to Karidja, “I’m sure you’re a nice person and all, but your predisposition toward conflict resolution seems out of place here to me.”

Karidja replied without even checking with her boss first. “Myles, thank you for thinking well of me. After all, you have just met me. But please remember that I have known you, or at least what your case reveals about you, for two years. And as sure as you are that what I can contribute doesn’t fit this situation, I assure you that I am very confident that it does—”

Myles started to interrupt, “Miss Soro—” but in her practiced quiet voice, Karidja continued, “Adrenaline spoils almost every football penalty kick, especially under pressure in overtime. My Elephants would fall to Ghana time and again, just as their stampeding eponyms did to poachers over the years, if they did not stay composed on the soccer pitch .”

“Oh, so that was an experiment, you mean?” Myles spoke more pointedly than he had before, with a tinge of sarcasm. Hegerman raised an eyebrow. Gabriella looked up to see the body language between the two.

“No, Myles. Not in the least. Something much different—and far more important.” She took a second, but went on so as not to be interrupted, and to pace the discussion. “Resolving this conflict requires that you understand your point of view is not the only valid one. You will not win over the judge if you do not understand what is at the root of Rosalyn’s seemingly odd behavior you feel threatens your daughter. Please remember, no matter how much of this is the devil in the details, for the judge this is about Linda more than it is about you or Rosalyn. How each of you comport yourself in this hearing places considerable weight into that balance.”

There was a long and quiet pall that descended on the room. It was as if clouds had lowered upon the waterfront outside and took the sunlight with them. But then it rose, and the light returned, as did Myles’ voice.

Again, he addressed the room. “I’m very sorry. Thank you. May we proceed? I’ll try to be better behaved,” He looked up with a nervous smile.

A propitious knock came on the door and as it pushed open a casually dressed young man Myles had not met before carried in their lunches and placed two trays on the sideboard.

Ned Hegerman spoke up to adjust the landscape of the room. “What news from the world, Charles?”

Charles’ answer adjusted the cosmology of the space. “Well sir, Hurricane Andrew just about looks played out. It didn’t get back into the Atlantic to reform again over the weekend. So, Friday’s showers look to be about all we will see of his generosity to Central Park’s scorched lawns.”

As he turned to leave, he stopped and looked at Karidja. "Oh, and Miss Soro. I thought you'd like to know. Word from Ruby Ridge is that fellow Gritz succeeded in resolving Weaver's standoff before any final assault by law enforcement. So, I guess you could say two storms are over. For now. Until the next ones." He left. Myles was never to see him again.

21

"Please connect me to Attorney Mellon again. This is Danny Hart."

"You have something for me, Danny?" asked the attorney in a strained but more civil tone than their last exchange.

"Yes, sir. From the friend. I didn't expect him until 3:00 when school was out. But he got a call, and a request, from your client. He was back here by 12:30 for five minutes. He scoped out the apartment. Picked up the cassette recorder he left at the party. Made sure the windows were closed and locked. Turned off the lights. Drew the shades. Checked the mailbox. Said he had to lock the door and get back to work. He politely asked me to please leave." The investigator sounded like he was reading from a surveillance note pad.

"That was it? asked Mellon.

"One more thing, sir. Probably the most important."

"Oh?" Mellon was curious.

"The boyfriend said she had a message for you."

The suspense was beginning to get to Mellon. "And . . ."

"She says she's brought the girl to boarding school. Out-of-town. School called last night to take her off the wait list. No warning, she claimed. First day registration and attendance required today." The investigator was trying not to elaborate, just staying on point.

“Where? I need to know what she wants this afternoon.” It was clear Mellon’s impatience was with his client. He was not shooting the messenger.

“I might have something on that for you, sir.” He waited just a second or two to make sure the lawyer was listening. “The friend told me she said to tell you to use the file folder you labeled ‘attack.’ Does that mean something, sir? Is that the news you needed?”

“It most certainly does and is, Danny. As they say in the news business, you buried the lede.” He thought a moment. “No need to stay there any longer. I know you have another case I interrupted. Thanks.”

Godfrey Mellon rearranged the file folders on his desk after he hung up the phone. He made a small stack, off to the side, out of the four manilla folders and their contents he had prepared and tabbed with the labels: SETTLE, STALL, CONTINUANCE, and ARBITRATION. The one he centered on his desk, opened, and started to review was tabbed: ATTACK.

Simultaneously, Mellon pressed the button on the phone intercom. “Miss Hayes, please get me the court clerk for this afternoon’s hearing on the phone. And, also, have a process server ready to go in about fifteen minutes.”

She repeated his directions back to him to make sure she had heard correctly. This was the way Mellon’s father had trained his staff. It had prevented many errors over the years. And it gave a lawyer a chance to give a second thought to a rash decision—and change directions, if advisable. Godfrey seemed to find at least one thing in the practice of law each day for which he was grateful to his father. This was today’s.

“Thank you, Miss Hayes.” He picked up his pen to ink in the date and time on the previously prepared and signed summons and court notification. He added his signature.

To Be Continued Next Month